

CEMETERY RULES & REGULATIONS

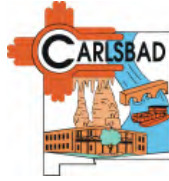
- ❖ Fresh cut/facsimile flowers, when set into permanent containers, vases or urns mounted on the gravestone will be permitted providing it does not interfere with grounds maintenance.
- ❖ The Cemetery staff has the authority to remove and discard at any time any flower or decorations that are determined unsightly, weathered or interfere with grounds keeping.
- ❖ Planting of live flowers is **PROHIBITED** and artificial flowers stuck in the ground will be removed.
- ❖ The City shall not be responsible beyond the day of the burial for floral pieces, baskets or frames that are attached.
- ❖ Cemetery staff will remove funeral designs and floral pieces as soon as they become unsightly, and will assume no responsibility for their return.
- ❖ No roping, curbing, fencing, hedging, borders or enclosures of any kind are allowed on ANY lot.
- ❖ Self-illuminating decorations energized by solar power are permitted provided they are mounted on the headstone or its foundation. The Cemetery groundskeeper, without notification, has the authority to remove ANY self-illumination decoration that falls into disrepair.
- ❖ **ABSOLUTELY NO** memorials including, but not limited to, candles, decorative flags, stuffed animals, balloons, shells, toys, metal designs, ornaments, chairs, vases, wood or iron crosses, cans, bottles, rocks, pebbles, breakable objects, statues. **IF** any of such is placed they may be removed without prior notice.
- ❖ **NO** decorations of any type are permitted in trees or cemetery plantings.
- ❖ **NO** glass is permitted at all.
- ❖ The use of sandstone, terra cotta, slate, artificial stone, wood or iron in any form is **NOT** permitted.
- ❖ **ALL** decorations **MUST** be attached to the monument or its foundation, **NO** piling up around the monument.
- ❖ The City of Carlsbad and Carlsbad Municipal Cemetery does not assume any responsibility for the loss or damage of any decorations or their containers.
- ❖ The City reserves the right to remove and dispose of, without notice, any unsightly, deteriorated, neglected or prohibited items.

Monument Requirements and Setting Permit

A monument setting permit must be issued by the Cemetery Office prior to the placement of the monument in the cemetery. This permit is normally obtained by the monument company and is available at a cost of \$25.00. In the event that a proper setting permit is not obtained prior to placement, the city, at its sole discretion, retains the right to remove or direct removal of any unauthorized memorial or any memorial that does not meet the following standards:

- a. All memorials shall be set under the supervision of the Cemetery Superintendent or designated representative by a recognized monument company conducting, as its regular business, monument sales and installation in the City of Carlsbad. Improperly set memorials will be promptly and correctly reset when so directed by the Cemetery Superintendent.
- b. No memorial work will be allowed on lots or graves until all cemetery obligations to the City of Carlsbad are paid in full.
- c. All memorials shall be constructed of granite, marble or bronze. Memorials constructed of other material, including "homemade" shall not be permitted unless the prior written approval of the Cemetery Board is obtained.
- d. All headstones shall be sized in conformance with the size of the lot or lots on which it will be placed. No headstone placed on standard adult sized lot(s) shall exceed 48" above the ground at its highest point, be thicker than 16" at its thickest point or wider than 75% the width of the lot(s) on which it is placed. All other monuments, such as footstones or cremain markers shall be placed, flush with the ground; protuberances above ground level are unacceptable.
- e. All headstones shall be set on a finished concrete base formed with straight edges and set level with the adjacent ground. All bases shall be finished smooth with a natural concrete color. No coloring or painting of the concrete shall be permitted. All bases shall be contained entirely within the lot(s). Concrete bases are not required for other monuments, such as footstones or cremain markers that are placed flush with the ground.
- f. The erection of a mausoleums or lawn crypt is subject to review and approval by the Cemetery Board. The Cemetery Board requires that the proponent submit complete specifications for the project.
- g. Cemetery personnel will not help unload or place any markers for the monument company.

**Burial Spaces are 4ft x 12ft. Base can be the width of the space.
Maximum width of Die is 36in.**



A G E N D A

Carlsbad City Council Regular Meeting
Janell Whitlock Municipal Complex
114 S. Halagueno Street
Carlsbad, New Mexico

February 13, 2024 at 6:00 p.m.

Invocation – Pledge of Allegiance

Presentation of City of Carlsbad Employee Service Awards

Discussion regarding Carlsbad Cemetery Rules and Regulations presented by Carlsbad Cemetery Advisory Committee

1. Approval of Agenda
2. Consider Approval of Resolution 2024-05, a Resolution making certain budgetary adjustments to the 2023-24 Fiscal Year Budget
3. Routine and Regular Business

All matters under this heading are considered routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items. If discussion is desired on a particular item, upon request, that item may be removed from the Routine and Regular Business and be considered separately.

- A. **Minutes of the Regular City Council Meeting held on January 23, 2024**
- B. **City Personnel Report**
- C. **Purchasing**
 - 1) Consider Approval to Advertise Invitation to Bid for electrical components to replace the existing lighting at Lake Carlsbad Recreation Area
 - 2) Consider Approval to Advertise Request for Proposals for on-call Grant Management Services
- D. **Contracts and Agreements**
 - 1) Consider Approval of Agreement between the City of Carlsbad and Kyle Marksteiner for Consulting Services
 - 2) Consider Approval of Agreement between the City of Carlsbad and LeAnne Weldon, DMB, LLC for the provision of City Animal Licenses
 - 3) Consider Approval of Agreement between the City of Carlsbad, Carlsbad Fire Department and Eddy County Fire and Rescue for a Mutual Aid Assistance Agreement
 - 4) Consider Approval of Memorandum of Understanding between the City of Carlsbad, Carlsbad Fire Department and US Department of Interior Bureau of Land Management for Hazardous Fuels Management

- E. **Monthly Reports**
 - 1) Human Resources Department January 2024
 - 2) Municipal Court Department January 2024
 - 3) Utilities Department December 2023
- F. **Board Appointments**
 - 1) Southeast Regional Transportation Planning Organization (SERTPO) Appoint: Angie Barrios-Testa, Appoint: Justin Ramos
- G. **Set the Date: March 12, 2024**
 - 1) Ordinance amending a portion of Section 29-C of Chapter 16 of the Code of Ordinances to increase the Acting Municipal Judge's flat rate fee per day and increase the total fee during any one calendar year
- 4. Consider Approval of Request from Milton's Brewing for a Temporary Use Application to allow the parking of a temporary Food Truck and food sales in the downtown area along Mermod Street within the public street Right-of-Way Applicant: Milton's Brewing
- 5. Consider Approval of Application for Vacation of a public alley Right-of-Way to the East of Atwood Subdivision located to the East of Hamilton Place Applicant: City of Carlsbad
- 6. Consider Approval of Ordinance 2024-06, an Ordinance rezoning part of "R-1" Residential 1 District to "R-2" Residential 2 District for an approximately 0.17 acre property located at 501 N Maple Street Owner: NMT3S, LLC
 - A. Public Hearing
 - B. Consider Approval of Ordinance 2024-06
- 7. Consider Approval of Ordinance 2024-07, an Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.864 acre property located at 219 W Pecan Street Owner: Carolyn Banks
 - A. Public Hearing
 - B. Consider Approval of Ordinance 2024-07
- 8. Consider Approval of Ordinance 2024-08, an Ordinance amending a portion of Section 28 of Chapter 16 of the Code of Ordinances to increase the Municipal Judge's Salary
 - A. Public Hearing
 - B. Consider Approval of Ordinance 2024-08
- 9. Consider Approval to remove from table Resolution 2023-65, a Resolution requiring the removal of the ruined, damaged or dilapidated building or structure for property located at 1916 W Lea Street Owner: Erica Corrales c/o Jesus R. Juarez
- 10. Consider Approval of Resolution 2023-65, a Resolution requiring the removal of the ruined, damaged or dilapidated building or structure for property located at 1916 W Lea Street Owner: Erica Corrales c/o Jesus R. Juarez
- 11. Council Committee Reports

12. Adjourn



FOR INFORMATION ONLY

Agendas and City Council minutes are available on the City web site: cityofcarlsbadnm.com or may be viewed in the Office of the City Clerk during normal and regular business hours.

Public Comments - three minute time limit per person. The City request all comments be respectful and courteous in nature.

CARLSBAD CITY COUNCIL MEETING SCHEDULE

- Regular Meeting - Tuesday, February 27, 2024 at 6:00 p.m.
- Regular Meeting – Tuesday, March 12, 2024 at 6:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

RESOLUTION NO. 2024-05

**A RESOLUTION MAKING CERTAIN BUDGETARY
ADJUSTMENTS TO THE 2023-24 FISCAL YEAR BUDGET**

WHEREAS, it is necessary to amend the 2023-24 fiscal year budget to adjust revenues, transfers and expenditures as reflected on the attached pages, and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD that the 2023-24 fiscal year budget be amended as attached.

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of February 2024.

Mayor

ATTEST:

City Clerk

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
August 2023								
General Fund - Public Safety	Donation from Carlsbad Community Anti-Drug & Gang Coalition will be used to purchase police supplies	10,000.00	R	(10,000.00)	O	8/25/2023	9/12/2023	9/21/2023
General Fund - Parks	Additional cost of installation of equipment at the Splash Pad at Friendship Park			(325,000.00)	C	8/25/2023	9/12/2023	9/21/2023
Lodgers' Tax - Promotional	Red Rocket - Local event promotion and social ad buy - Advertising			(60,000.00)	O	8/25/2023	9/12/2023	9/21/2023
Lodgers' Tax - Promotional	Carlsbad Mainstreet - Hutton Broadcasting - Advertising			(15,000.00)	O	8/25/2023	9/12/2023	9/21/2023
Lodgers' Tax - Non-Promotional	Additional cost of installation and equipment at the golf course driving range			(300,000.00)	C	8/25/2023	9/12/2023	9/21/2023
Lodgers' Tax - Discretionary	Additional cost of installation and equipment at the golf course driving range			(350,000.00)	C	8/25/2023	9/12/2023	9/21/2023
September 2023								
GRT Capital Outlay	Transfer out funds to Water & Sewer for Old Cavern Highway project	(1,200,000.00)	T			9/22/2023	10/10/2023	10/23/2023
Water & Sewer	Transfer in funds from GRT Capital Outlay for the Old Cavern Highway project	1,200,000.00	T	(1,200,000.00)	C	9/22/2023	10/10/2023	10/23/2023
General Fund - Fire	Donation from Crestwood Operations LLC for the purchase of EMS supplies	10,000.00	R	(10,000.00)	O	9/22/2023	10/10/2023	10/23/2023
General Fund	Increase revenue to match PSA Agreement for Eddy County contribution	50,000.00	R			9/22/2023	10/10/2023	10/23/2023
Health Insurance	Transfer Out to General, Municipal Transit, Solid Waste, Sports Complex, and Water & Sewer Funds fro employee health insurance rebate	(826,848.22)	T			9/22/2023	10/10/2023	10/23/2023
General Fund	Employee health insurance rebate	658,576.15	T	(658,576.15)	L	9/22/2023	10/10/2023	10/23/2023
Sports Complex	Employee health insurance rebate	13,306.92	T	(13,306.92)	L	9/22/2023	10/10/2023	10/23/2023
Municipal Transit	Employee health insurance rebate	20,331.18	T	(20,331.18)	L	9/22/2023	10/10/2023	10/23/2023
Water & Sewer	Employee health insurance rebate	97,067.50	T	(97,067.50)	L	9/22/2023	10/10/2023	10/23/2023
Solid Waste	Employee health insurance rebate	32,290.31	T	(32,290.31)	L	9/22/2023	10/10/2023	10/23/2023
Golf Pro Shop	Employee health insurance rebate	5,276.16	T	(5,276.16)	L	9/22/2023	10/10/2023	10/23/2023
Lodgers' Tax - Promotional	Christmas on the Pecos - Advertising			(92,000.00)	O	9/22/2023	10/10/2023	10/23/2023
Lodgers' Tax - Promotional	Carlsbad Community Theatre - Advertising			(20,000.00)	O	9/22/2023	10/10/2023	10/23/2023
Lodgers' Tax - Non-Promotional	Carlsbad Chamber of Commerce - Pecos River Conference Center Holiday Lighting			(30,000.00)	O	9/22/2023	10/10/2023	10/23/2023
Capital Projects	RAISE grant awarded to the City of Carlsbad for the preliminary plan of the Dark Canyon Bridge and Bikeway Project	1,100,008.00	R	(1,375,010.00)	C	9/22/2023	10/10/2023	10/23/2023
Airport Improvements	NMDOT-Aviation grant for the replacement of the terminal apron from asphalt to PCCP	5,000,000.00	R	(5,000,000.00)	C	9/22/2023	10/10/2023	10/23/2023
Water & Sewer - Water	Replenish funds for the Well 8 Rehab project that were borrowed for another project			(195,000.00)	C	9/22/2023	10/10/2023	10/23/2023
Capital Projects	Transfer grant related projects to the Water & Sewer fund	(2,410,000.00)	R	2,410,000.00	C	-	10/10/2023	10/23/2023

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
Water & Sewer - Water	Transfer grant related projects from the Capital Projects fund	2,410,000.00	R	(2,410,000.00)	C	-	10/10/2023	10/23/2023
Law Enforcement Recruitment & Retention	Reallocate the second distribution of \$300,000 of fy23 LERR funds to new DFA account for state tracking purposes					-	10/10/2023	10/23/2023
Law Enforcement Retention	Grant for \$1,050,000 from NM DFA for the recruitment of commissioned law enforcement officers and civilian support personnel, first distribution	600,000.00	R			-	10/10/2023	10/23/2023
Law Enforcement Retention	Transfer Out to General Fund	(600,000.00)	T			-	10/10/2023	10/23/2023
General Fund - Public Safety	Transfer In from Law Enforcement Retention Fund	600,000.00	T			-	10/10/2023	10/23/2023
October								
General Fund - Finance	Replenish funds for the Cashier Remodel project that were borrowed for the C-Hill Improvement project			(185,000.00)	C	10/27/2023	11/1/2023	11/8/2023
General Fund - Public Safety	Reclassify executive secretary position to a patrol senior position			(55,380.00)	L	10/27/2023	11/1/2023	11/8/2023
General Fund - Public Safety	DOJ Edward Byrne Memorial Justice Assistance Grant to support body worn camera equipment for police officers	14,734.00	R	(14,734.00)	O	10/27/2023	11/1/2023	11/8/2023
General Fund - Community Development	Halagueno Arts Park improvements			(100,000.00)	C	10/27/2023	11/1/2023	11/8/2023
General Fund - Golf	Golf course sewer remediation project			(600,000.00)	C	10/27/2023	11/1/2023	11/8/2023
General Fund - Facility Maintenance	Roof and miscellaneous repairs due to rain damage			(250,000.00)	C	10/27/2023	11/1/2023	11/8/2023
General Fund - Cemetery	Purchase 5 - 24" aluminum military emblems for the Veteran's Cemetery			(13,014.00)	O	10/27/2023	11/1/2023	11/8/2023
Airport Improvements	NMDOT-Aviation grant for airfield marking, this grant has a City match of \$15,000	135,000.00	R	(150,000.00)	C	10/27/2023	11/1/2023	11/8/2023
Landfill-Construction	Increase funds for the City's portion of projected costs associated with the Cell 6 Construction, Sandpoint Waterline, Transfer Station and BLM expansion at the Sandpoint Landfill			(645,000.00)	C	10/27/2023	11/1/2023	11/8/2023
Sports Complex	Grant from the Department of Justice for LED lighting for the sports complex	76,000.00	R	(300,000.00)	C	10/27/2023	11/1/2023	11/8/2023
November								
Lodgers' Tax - Promotional	Creative Carlsbad Arts Council - Advertising			(6,000.00)	O	11/17/2023	12/12/2023	12/27/2023
Capital Projects	NM DFA grant to offset the City's match requirement with state funding for the recently accepted RAISE grant	275,000.00	R			11/17/2023	12/12/2023	12/27/2023
Capital Projects	NM DFA grant awarded to the City to be used to replace the HVAC system at the Riverwalk Recreation Center. These funds are part of the Regional Recreation Centers/Quality of Life Grant.	1,621,051.00	R	(1,621,051.00)	C	-	12/12/2023	12/27/2023
Capital Projects	NM DFA grant awarded to the City to supplement the cost to replace the HVAC system at the Riverwalk Recreation Center. These funds are part of the Local Government Outlay Project Overruns Grant.	450,000.00	R	(450,000.00)	C	-	12/12/2023	12/27/2023
General Fund - Community Development	Increase downtown restrooms project due to quote coming in higher than budget			(30,000.00)	C	-	12/12/2023	12/27/2023
December								
General Fund - Parks	Replenish funds for the annual park improvements project that were borrowed for the HAP art project			(45,000.00)	C	12/15/2023	1/9/2024	1/16/2024

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital Increase (Decrease) to Fund		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
General Fund - Public Safety	Add 5 School Resource Officer (SRO) Positions, 1 Sergeant Position for February through June. The City will be reimbursed by the Carlsbad Municipal Schools for the labor cost of these positions.	376,501.46	R	(376,501.46)	L	12/15/2023	1/9/2024	1/16/2024
General Fund - Public Safety	Increase operating costs due to the additional training and equipment needed for 4 SRO's			(200,000.00)	O	12/15/2023	1/9/2024	1/16/2024
Fire Protection Fund	Department of Homeland Security and Emergency Management grant to be used to purchase 32 Self Contained Breathing Aparatus (SCBA) packs for the fire department	299,483.63	R	(299,483.63)	C	12/15/2023	1/9/2024	1/16/2024
Lodgers' Tax -Non-Promotional Fund	Increase the fireworks project to \$120,000 for RFP awarded, City contribution of \$80,000 and County contribution of \$40,000			(55,000.00)	O	12/15/2023	1/9/2024	1/16/2024
Lodgers' Tax - Promotional	Boys & Girls Club - Gus Macker Tournament Advertising			(80,000.00)	O	12/15/2023	1/9/2024	1/16/2024
January								
General Fund - Cemetery	Additional fencing at the cemetery.			(700,000.00)	C	1/26/2024		
General Fund - Cemetery	Dirt work for the expansion of the cemetery			(100,000.00)	C	1/26/2024		
General Fund - Community Service	Increase capital costs on the Gator project by \$36,500 to purchase a JD ProGator 2030 with a chemical sprayer.			(36,500.00)	C	1/26/2024		
General Fund - Electrical	Increase operating costs to repair the hydraulic boom on the electrical department's 1994 bucket truck.			(12,200.00)	O	1/26/2024		
General Fund - Executive	Potential purchase of BLM land for future economic development and the associated costs for preparation of documents necessary to convey 495.5 acres of public land to the City.			(185,000.00)	C	1/26/2024		
General Fund - Executive	Purchase safety truck			(75,000.00)	C	1/26/2024		
General Fund - Finance	Reestablish the Fixed Assets & Inventory Accountant position in the finance department.			(43,505.62)	L	1/26/2024		
General Fund - Fire	Donation from Devon Energy for the purchase of equipment for the Fire department.	5,000.00	R	(5,000.00)	O	1/26/2024		
General Fund - Fire	Replace two HVAC units at the Fire department.			(20,000.00)	C	1/26/2024		
General Fund - Fire	Purchase 70 sets of PPE for the dual certified vehicle extractor for wildland fires.			(70,000.00)	O	1/26/2024		
General Fund - Fire	Purchase a FOTOKITE tethered drone to provide aerial footage during emergency situations. This drone will not require an FAA permit.			(45,000.00)	C	1/26/2024		
General Fund - Fire	Replace 8 aged cardiac monitors at the Fire department			(400,000.00)	C	1/26/2024		
General Fund - Fire	Purchase 2-2024 Ford Mavericks for the Fire department to replace 2008 F-250's with high mileage			(70,000.00)	C	1/26/2024		
General Fund - Garage	Purchase a New Maxx 80 tire changer with the capability to handle larger tires.			(9,000.00)	C	1/26/2024		
General Fund - Museum	Reclassify a Museum part time attendant to full time			(16,109.51)	L	1/26/2024		
General Fund - Parks	Outdoor Recreation Trails+ grant awarded to the City of Carlsbad by NM EDD for the renovation of the south-western shore and various enhancements at Lower Tansill Dam. This grant has a 50% City match.	499,927.45	R	(1,000,000.00)	C	1/26/2024		
General Fund - Parks	Resurface the fall zone at Friendship Park.			(225,000.00)	C	1/26/2024		
General Fund - Parks	Increase the C-Hill remediation project.			(10,000.00)	C	1/26/2024		

Description		Revenues & Transfers		Costs		Approvals		
Fund / Department	Item	Increase (Decrease) to Fund		Labor, Operating, Capital		Dates		
		Amount	R or T	Amount	L, O, C	Budget Com	Council	DFA
General Fund - Public Safety	Increase the police vehicles project for the additional cost of upfits.			(65,000.00)	C	1/26/2024		
General Fund - Public Safety	Increase operating costs in the police department for the purchase of additional ammunition.			(35,000.00)	O	1/26/2024		
General Fund - Public Safety	Increase operating costs in the police department to replace approximately 50 obsolete tasers.			(150,000.00)	O	1/26/2024		
General Fund - Public Safety	Add a second Evidence Clerk position in the police department to assist with evidence backlog.			(34,883.38)	L	1/26/2024		
General Fund - San Jose Senior Center	Replace the roof at the San Jose Senior Center building.			(600,000.00)	C	1/26/2024		
General Fund - Streets	Equip the street department dump truck with salt spreader and snow plow attachments.			(55,000.00)	C	1/26/2024		
General Fund	Transfer Out to Street Improvements Fund.	(1,300,000.00)	T			1/26/2024		
Street Improvements Fund	Transfer In from General Fund and create project to add sidewalks to the east side of Old Cavern Highway.	1,300,000.00	T	(1,300,000.00)	C	1/26/2024		
Street Improvements Fund	Continue with various street improvements.			(500,000.00)	C	1/26/2024		
NMFA-Water & Sewer	Payoff the Carlsbad 11 - Double Eagle Extension loan. The funds for this payoff have already been set aside.			(11,106,129.40)	O	1/26/2024		
Water & Sewer - Double Eagle	NM DFA grant awarded to the City of Carlsbad for the double eagle waterline extension project.	1,000,000.00	R	(1,000,000.00)	C	1/26/2024		

Description			Revenues & Transfers		Costs	
			Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Increase/Decrease	Item	Amount	R or T	Amount	L, O, C
August 2023						
General Fund - Planning & Regulation	Increase Capital	Transfer operating funds to Camaras project due to an increase in the cost of the camaras	274.63			C
General Fund - Planning & Regulation	Decrease Operating		(274.63)			O
General Fund - Community Development	Increase Capital	Transfer funds from the closed Museum HVAC Controls project to the Hall of Fame project	25,000.00			C
General Fund - Museum	Decrease Capital		(25,000.00)			C
General Fund - Riverwalk	Increase Capital	Transfer funds from the Riverwalk elevator project to the Facility Maintenance elevator project	542.11			C
General Fund - Facility Maintenance	Decrease Capital		(542.11)			C
September 2023						
General Fund - Alejandro Ruiz Senior Center	Increase Capital	Transfer operating funds to project# 100532, this project will be used as City match for ARSC grant	2,324.01			C
General Fund - Alejandro Ruiz Senior Center	Decrease Operating		(2,324.01)			O
Water & Sewer - Collections	Increase Capital	Transfer funds from the Well 8 Rehab project to the Bataan Lift Station project due to an increase in costs for equipment/installation since the original budget was developed	195,000.00			C
Water & Sewer - Water	Decrease Capital		(195,000.00)			C
October 2023						
General Fund - Parks	Increase Capital	Transfer operating funds to cover the price increase on pat traps for the shooting range	130.00			C
General Fund - Parks	Decrease Operating		(130.00)			O
General Fund - Parks	Increase Capital	Transfer leftover funds from the Toro Equipment project to a new project to purchase a Toro GrandStand Mower	18,242.34			C
General Fund - Parks	Decrease Capital		(18,242.34)			C
General Fund - Parks	Increase Capital	Transfer funds from the Cashier Remodel and Land Acquisition projects to the C-Hill Remediation project	335,000.00			C
General Fund - Finance/Executive	Decrease Capital		(335,000.00)			C
General Fund - ARSC	Increase Capital	Transfer allocated gym equipment operating funds to a capital project for a multi-gym set that will need to be capitalized	6,797.25			C
General Fund - ARSC	Decrease Operating		(6,797.25)			O
Solid Waste Fund	Increase Capital	Transfer funds from the ARC trucks project to the Grappler truck project to cover the steel price increase	13,000.00			C
Solid Waste Fund	Decrease Capital		(13,000.00)			C
GRT Capital Outlay	Increase Capital	Transfer funds from the ARSC roof replacement project to the ARSC renovations project	375,000.00			C
GRT Capital Outlay	Decrease Capital		(375,000.00)			C
Water & Sewer - Water		Project# 100955 was for the of purchase 3 service trucks, a 4th truck will be purchased with the leftover funds				
Water & Sewer - Water						
November 2023						
General Fund - Airport	Increase Capital	Transfer operating funds to the Terminal rekey project due to quote coming in higher than budget	1,000.00			C
General Fund - Airport	Decrease Operating		(1,000.00)			O
General Fund - Library	Increase Operating	Transfer capital funds from the 2020 GO Bond Grant project to operating to purchase small furniture and shelving	5,000.00			O
General Fund - Library	Decrease Capital		(5,000.00)			C
General Fund - Finance	Increase Labor	Reclassify Director of Municipal Services to Director of Grant Programs, transfer the remaining salary to the finance department	103,380.00			C
General Fund - Community Development	Decrease Labor		(103,380.00)			O
Water & Sewer - Waste Water	Increase Capital	Transfer equipment maintenance operating funds to a capital project to purchase a lift station pump	12,000.00			C
Water & Sewer - Waste Water	Decrease Operating		(12,000.00)			O
December 2023						
Water & Sewer - Waste Water	Increase Capital	Transfer equipment maintenance operating funds to a capital project to purchase a re-use meter	8,250.00			C
Water & Sewer - Waste Water	Decrease Operating		(8,250.00)			O
General Fund - Golf Course	Increase Capital	Transfer funds from the golf course sewer remediation project to the driving range project	21,000.00			C
General Fund - Golf Course	Decrease Capital		(21,000.00)			C
Sports Complex Fund	Increase Capital	Transfer funds from the landscaping project to the LED lighting project due to project coming in higher than budget	20,000.00			C
Sports Complex Fund	Decrease Capital		(20,000.00)			C
General Fund - Parks	Increase Capital	Transfer funds from the annual park improvements project to the HAP art project to purchase art piece	45,000.00			C
General Fund - Parks	Decrease Capital		(45,000.00)			C

Description			Revenues & Transfers		Costs	
			Increase (Decrease)		Personnel, Operating, Capital Increase (Decrease)	
Fund / Department	Increase/Decrease	Item	Amount	R or T	Amount	L, O, C
Airport Improvements Fund	Increase Capital	Transfer operating funds to the airport resurfacing project			1,000.00	C
Airport Improvements Fund	Decrease Operating	due to quote coming in higher than budget			(1,000.00)	O
January 2024						
General Fund - Parks	Increase Capital	Transfer funds from the annual park improvements project			35,000.00	C
General Fund - Parks	Decrease Capital	to the C-Hill remediation project to cover additional costs			(35,000.00)	C
General Fund - Community Development	Increase Capital	Transfer operating funds to the downtown light post			1,700.00	C
General Fund - Community Development	Decrease Operating	project to cover additional shipping costs			(1,700.00)	O
General Fund - Airport	Increase Capital	Transfer operating funds to the Terminal rekey project to			1,500.00	C
General Fund - Airport	Decrease Operating	cover additional costs			(1,500.00)	O
General Fund - Streets		Purchase a rotary broom with skid steer funds, as the				
General Fund - Streets		current rotary broom is no longer working, and a skid steer				
		is no longer needed (\$116,000)				
General Fund - Parks	Increase Capital	Transfer capital funds from the Nick Salcido Park Canopy			(3,000.00)	C
General Fund - Parks	Decrease Capital	project to the Fall Zone at San Jose Plaza project			3,000.00	C
Solid Waste Fund		Utilize remaining funds from the ARC Trucks (2) project to				
Solid Waste Fund		purchase a third truck (\$329,526)				
Water & Sewer - Collections	Increase Capital	Transfer remaining funds from two truck projects (100968			48,151.00	C
Water & Sewer - Collections	Decrease Capital	& 100967) to purchase a third truck			(48,151.00)	C

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK
MUNICIPAL COMPLEX BUILDING ON JANUARY 23, 2024 AT 6:00 P.M.**

Present:	Richard D. Lopez	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Jason O. Chavez	Councilor
	Anthony Foreman	Councilor
	Mark C. Walterscheid	Councilor
	Jeff Forrest	Councilor <i>via phone</i>
	Mary Garwood	Councilor
 Absent:	 Karla Niemeier	 Councilor
 Also Present:	 Wendy Austin	 Interim City Administrator
	K.C. Cass	Deputy City Administrator
	Ted Cordova	Deputy City Administrator
	Nadine Mireles	City Clerk
	Quay Dominguez	Compliance Clerk
	Mike Abell	Director of Utilities
	Wayne Hatfield	IT Director
	Melissa Salcido	Finance Director
	John Majerus	Assistant Fire Chief
	Jeff Patterson	Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Charlie Garcia	Police Officer
	Rich Olson	Attorney
	Tye Bryson	Bureau of Land Management
	Kat Davis	Carlsbad Mainstreet
	Norbert Rempe	Citizen

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00 **Call Meeting to Order**

0:00:19 Invocation | Pledge of Allegiance

0:00:50 **1. APPROVAL OF AGENDA**

0:00:58 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Anaya-Flores to approve the Agenda.

0:01:02 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:01:19 **2. CITY OF CARLSBAD FINANCIALS | DECEMBER 2023**

Ms. Salcido reviewed the revenues and expenditures as of December 2023 for the General Fund and selected Enterprise and Special Funds contained within the City Budget.

0:02:56 **3. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Organizational Meeting held on January 9, 2024
- B. Minutes of the Regular City Council Meeting held on January 9, 2024
- C. City Personnel Report
- D. Purchasing
 - 1) Consider Approval to Advertise Request for Proposals for the City of Carlsbad Annual Financial Audit
- E. Contracts and Agreements
 - 1) Consider Approval of Memorandum of Understanding between the City of Carlsbad, Carlsbad Police Department and Carlsbad Municipal School District for the School Resource Officer Program
- F. Monthly Reports
 - 1) Community Development Department December 2023
 - 2) Municipal Court Department December 2023
 - 3) Municipal Services Department December 2023
 - 4) Transportation and Facilities Department December 2023
- G. Board Appointments
 - 1) Alejandro Ruiz Senior Center Advisory Board Appoint Robert Echavarria four- year term
 - 2) Southeastern New Mexico Economic Development District/Council of Governments (SNMEDD/COG) Board Appoint Lisa Anaya Flores two-year term
- H. Set the Date: February 13, 2024
 - 1) Ordinance amending a portion of Section 28 of Chapter 16 of the Code of Ordinances, City of Carlsbad, to increase the Municipal Judges Salary

0:03:16 **Mayor Lopez asked Mrs. Austin to briefly discuss Agenda item D1, Consider Approval to Advertise Request for Proposals for the City of Carlsbad Annual Financial Audit.**

Mrs. Austin said the City is required by state statute to engage in a yearly financial audit. She said the City has worked with its current auditor, Hinkle and Landers, for eight years. She said state audit requires that government agencies, including local

governments, cannot utilize the same auditor for more than eight consecutive years; in addition, a two-year period must pass before a government agency, or local government, can re-engage the same auditor that was utilized during the previous eight years. She said this RFP is required so that the City is able to engage an auditor for Fiscal Year 2024, and so that the City follows state statute and the state audit rule.

0:04:18 **Mayor Lopez asked Chief Skinner to discuss Agenda item E1, Consider Approval of Memorandum of Understanding between the City of Carlsbad, Carlsbad Police Department and Carlsbad Municipal School District for the School Resource Officer (SRO) Program.**

Chief Skinner said this was unanimously approved by the Carlsbad Municipal School District at their regular meeting on January 16, 2024. He said there is strict reporting requirements but he does not anticipate any hang-ups.

Councilor Chavez asked if this is for six positions. **Chief Skinner** said this is for an additional five SRO's and an additional sergeant position. **Councilor Chavez** asked if this includes the elementary schools. **Chief Skinner** said yes. He said the tentative plan is to place 3 SRO's at the high school. He said there will be one at each middle school, one rotating person at the elementary schools on the south end of town, and one rotating person on the north end of town. **Chief Skinner** said the sergeant will help amongst all of the schools. He said the plan is to have daily presence in all of the schools.

Councilor Garwood said she is glad to see this come to fruition.

Chief Skinner said he would like to thank the Finance Department and the Grant Programs Department for their hard work.

0:08:02 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Walterscheid to approve Routine and Regular Business.

0:08:07 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:08:23 **4. CONSIDER APPROVAL OF CONTRIBUTED FUNDS AGREEMENT FOR REIMBURSEMENT OF COSTS RELATED TO A DIRECT LAND SALE BETWEEN THE CITY OF CARLSBAD AND THE US BUREAU OF LAND MANAGEMENT**

Mrs. Austin said the City of Carlsbad wishes to enter into an agreement with the Bureau of Land Management (BLM) that allows for the City to reimburse the BLM the cost associated with preparing the documentation necessary to convey 495.5 acres of public lands to the City for the development of single-family homes. She said this

agreement does not include the conveyance of the public lands, but the agreement to work on the conveyance of the public lands. **Mrs. Austin** said these costs are approximately \$56,000 and include federal registration publication, publication in the local newspaper, salary costs, travel costs, and indirect costs. She said this parcel of land is north of Ocotillo Elementary School and the estimated processing time to prepare the documentation is anywhere between 12-24 months.

Tye Bryson, BLM Deputy Field Manager, said he wants to express gratitude to the City for taking on the project. He said it is important for BLM to provide housing for their employees.

Councilor Walterscheid asked Mr. Bryson if BLM is supplying just the land. **Mr. Bryson** said yes. **Councilor Walterscheid** asked if infrastructure is included. **Mr. Bryson** said not at this time.

0:11:00 **MOTION**

The motion was made by Councilor Garwood and seconded by Councilor Walterscheid to approve of Contributed Funds Agreement for Reimbursement of Costs Related to a Direct Land Sale between the City of Carlsbad and the US Bureau of Land Management.

0:11:08 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:11:25 **5. CONSIDER APPROVAL OF TEMPORARY USE APPLICATION TO ALLOW FOR MOBILE SALES (VENDING) OF FOOD AND DRINKS (NON-ALCOHOLIC) ON CITY PROPERTY LOCATED 300 DIAZ STREET, THE RAY ANAYA SAN JOSE PLAZA PARK FOR HOUSE OF GRUB OWNER: PATRICK RENFRO**

Mr. Patterson said this request is to allow vending of food and drinks on City-owned property in the parking area along Diaz St. within the Ray Anaya San Jose Plaza Park, near the intersection of Diaz St. and San Jose Blvd. He said the applicant applied for an annual city business license and the applicant will also need to provide a certificate of liability insurance. He said the applicant wishes to vend from 11:00 AM to 7:00 PM, Wednesday through Saturday, each week throughout the year. **Mr. Patterson** said the Planning Department recommends approval of the request with the following conditions; the applicant shall not disturb the peace with a loud speaker, megaphone, bell, music, or other disruptive noise; the applicant shall limit vending from 11:00 AM to 7:00 PM as per the application information. He said the approval of this request grants permission to the applicant to vend food and drinks (non-alcoholic) on City-owned property in the Ray Anaya San Jose Plaza Park parking lot from January 10, 2024 to December 31, 2024.

Councilor Rodriguez asked if the applicant can be held responsible to police the trash and keep the area as clean as possible. **Mr. Patterson** said yes.

Councilor Chavez asked how many applicants have been in that area. **Mr. Patterson** said there is another applicant requesting to be in this park, but so far this is the first request for this calendar year.

Mayor Lopez asked if this is the same location the applicant was at last year. **Mr. Patterson** said yes.

0:13:57 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Anaya-Flores to approve of Temporary Use Application to allow for mobile sales (vending) of food and drinks (non-alcoholic) on City property located 300 Diaz Street, the Ray Anaya San Jose Plaza Park for House of Grub Owner: Patrick Renfro.

0:14:03 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:14:18 **6. CONSIDER APPROVAL OF TEMPORARY USE APPLICATION TO ALLOW FOR MOBILE SALES (VENDING) OF FOOD AND DRINKS (NON-ALCOHOLIC) ON CITY PROPERTY LOCATED 300 DIAZ STREET, THE RAY ANAYA SAN JOSE PLAZA PARK FOR TASTY POP MANAGER: CHERRY RIDER**

Mr. Patterson said this request is to allow vending of food and drinks on City-owned property in the parking area along Diaz St. within the Ray Anaya San Jose Plaza Park, near the intersection of Diaz St. and San Jose Blvd. He said the applicant applied for an annual city business license and the applicant will also need to provide a certificate of liability insurance. He said the applicant wishes to vend from 10:00 AM to 6:00 PM, alternating every other Friday and Saturday throughout the year. **Mr. Patterson** said the Planning Department recommends approval of the request with the following conditions; the applicant shall not disturb the peace with a loud speaker, megaphone, bell, music, or other disruptive noise; the applicant shall limit vending from 10:00 AM to 6:00 PM as per the application information. He said the approval of this request grants permission to the applicant to vend food and drinks (non-alcoholic) on City-owned property in the Ray Anaya San Jose Plaza Park parking lot from January 26, 2024 to December 31, 2024. **Mr. Patterson** said the Planning Department will let the vendor know to police the area from trash.

0:15:49 **MOTION**

The motion was made by Councilor Rodriguez, pending the caveats addressed in the ABM, and seconded by Councilor Foreman to approve of Temporary Use Application to allow for mobile sales (vending) of food and drinks (non-alcoholic) on City property

located 300 Diaz Street, the Ray Anaya San Jose Plaza Park for Tasty Pop Manager: Cherry Rider.

0:16:02 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:16:22 **7. CONSIDER APPROVAL OF REQUEST FROM CARLSBAD MAINSTREET FOR A TEMPORARY USE APPLICATION TO ALLOW THE PARKING OF A TEMPORARY FOOD TRUCK AND FOOD SALES IN THE DOWNTOWN AREA ALONG NORTH CANYON STREET WITHIN THE PUBLIC STREET RIGHT-OF-WAY (ROW) APPLICANT: CARLSBAD MAINSTREET**

Mr. Patterson said Carlsbad MainStreet is requesting permission from the City Council to host a food truck in the downtown district within the public street ROW of N. Canyon St. He said MainStreet Executive Director, Kat Davis, plans to contact and invite local food truck owners to park within the on-street parking spaces on the west side of N. Canyon St. just north of the Canyon and Mermod intersection. He said the plan is to have one truck sign up through MainStreet and use the space for one week at a time. He said MainStreet will vet all food trucks to ensure that the truck owners have all required licensing and permitting through the City and the State. **Mr. Patterson** said approval of this Temporary Use Permit will give MainStreet a blanket permission to place one truck at a time within the subject ROW. He said the goal of this request is to utilize the presence of the food trucks to increase visitors to the downtown area. He said the applicant will be required to provide a surety bond for this type of request. **Mr. Patterson** said the Planning Department recommends approval of this request with the following conditions; the applicant shall not disturb the peace with a loud speaker, megaphone, bell, music or other disruptive noise; approval of this request grants permission to the applicant to host food trucks within the downtown district along N. Canyon St. He said the food trucks will be set up within the public street ROW, one truck at a time. He said the trucks will set on any day of the week and during MainStreet events from January 24, 2024 to December 31, 2024. **Mr. Patterson** said the Planning Department will let the vendor know to police the area from trash.

0:18:20 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Foreman to approve of Request from Carlsbad MainStreet for a Temporary Use Application to allow the parking of a temporary food truck and food sales in the downtown area along North Canyon Street within the public street Right-of-Way Applicant: Carlsbad MainStreet.

0:18:30 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:18:46 **8. CONSIDER APPROVAL OF REQUEST FROM MILTON'S BREWERY TO SERVE ALCOHOL (BEER & WINE) ON CITY STREETS DURING MILTON'S BREWING BLOCK PARTY APPLICANT: MILTON'S BREWERY**

Mr. Patterson said Milton's Brewing wishes to host a "Block Party" on Saturday, February 24, 2024. He said the event will be from 4:00 pm to 11:00 pm along Mermod St. and Canyon St. He said as part of this event, Milton's Brewing plans for food trucks, local vendors, and alcohol service (beer & wine). He said the event will be set up by a licensed alcohol server and will be cordoned off. He said alcohol will be served from 4:00 pm to 10:00 pm, the event will have one controlled entrance for attendees, and security will be provided. He said the event organizers would like for the event to be an "open alcohol carry" throughout the event area. He said all entrants, 21 years or older, will be given a bracelet to wear to purchase beer or liquor within the event. He said all designated drivers that enter the event area will be given a separate bracelet as identification and no alcohol will be allowed to be taken out of the designated event area. **Mr. Patterson** said the Planning Department recommends approval of this request with the following requirements; the alcohol server obtain all required licenses and permits; Milton's Brewing comply with all laws, rules, regulations, requirements and restrictions for service at the location, included but not limited to, fencing of service area, carding of customers, and providing appropriate security; Milton's Brewing shall name the City of Carlsbad as an additional insured on their general liability insurance and liquor server insurance in an amount to be approved by the City Administrator.

Councilor Walterscheid asked if Milton's has done well with their events in the past. **Mr. Patterson** said he has not received any complaints regarding how the events have gone.

0:20:58 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Chavez to approve of Request from Milton's Brewery to serve alcohol (beer & wine) on City streets during Milton's Brewing Block Party Applicant: Milton's Brewery.

0:21:05 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:21:20 **9. CONSIDER APPROVAL OF SUBMISSION OF A NATIONAL PARKS SERVICE GRANT APPLICATION FOR AN OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT FOR SHORTHORN PARK REHABILITATION**

Mrs. Austin said the purpose of the National Parks Service Outdoor Recreation Legacy Partnership (ORLP) is to renew or significantly improve recreation opportunities in urban, disadvantaged communities lacking access to walkable outdoor recreation consistent with the purposes and requirements of the Land and Water Conservation Act. She said the National Parks Service is expected to award eligible projects from \$300,000 to \$10,000,000 under this notice of funding opportunity. **Mrs. Austin** said the

City wishes to apply for funding to rehabilitate Shorthorn Park into a new and improved sports and recreation area for this centrally located and disadvantaged community. She said according to the Climate and Economic Justice Screening Tool, this area qualifies under the climate change and health disadvantaged and socioeconomic threshold. She said the City of Carlsbad also qualifies as a community having a population of 30,000 or more in the 2020 Census. She said the funding opportunity does require a 1:1 match. She said staff is currently working with an on-call engineering firm to complete a revised conceptual plan to offer the public an option for more amenities. She said the conceptual plan is being modified to add basketball and volleyball courts in addition to the playground, baseball fields, and other amenities. **Mrs. Austin** said the current estimate of probable cost is \$2.876 million; however, the City anticipates the cost to change slightly due to design and build to federal standards. She said in addition, staff requests approval on the match requirement to be secured with the City's general project funds once the final plan is approved. She said the estimate for the match at \$3 million for the project is \$1.5 million.

0:23:30 **A. Public Hearing**

0:23:34 **Mayor Lopez asked if anyone would like to speak regarding the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council into regular session.**

0:23:55 **B. Consider Approval of Application Submission**

Councilor Garwood said with the recent campaign, this recent area was brought to her attention. She said she fully supports this project.

Mrs. Austin said this land has covenants on it that allows us to only keep it as a green space.

Councilor Walterscheid asked since the City already has the Bob Forrest Youth Sports Complex, is this project for practice fields. **Mayor Lopez** said that is a possibility, but the main idea is for a neighborhood park.

Councilor Rodriguez said this is going to be grass, not designated baseball or soccer fields.

Councilor Walterscheid asked if the City is going to take care of these fields. **Mayor Lopez** said yes.

Councilor Chavez said this is going to be a great project for the City and the neighborhood.

0:26:03 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Garwood to approve of Submission of a National Parks Service Grant Application for an Outdoor Recreation Legacy Partnership Grant for Shorthorn Park Rehabilitation.

0:26:11 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:26:26 **10. CONSIDER APPROVAL TO ACCEPT A 2023 NM AGING AND LONG-TERM SERVICES DEPARTMENT GRANT TO PURCHASE EQUIPMENT FOR THE MEALS PROGRAM AT THE ALEJANDRO RUIZ SENIOR CENTER**

Mrs. Austin said in May of 2022, the City of Carlsbad submitted a 2023 Capital Outlay Grant Application to the State of New Mexico Aging and Long-Term Services Department (ALTSD) for the purchase of commercial kitchen equipment for the Alejandro Ruiz Senior Center Nutritional Meals Program operated by Southeast New Mexico Community Corporation. She said all capital outlay requests for senior programs follow an application process and the funding was allocated during the 2023 Legislative Session under the Laws of 2023, Chapter 199, Section 4, Paragraph 1, in the amount of \$72,258. **Mrs. Austin** said the plan was to purchase equipment including a walk-in refrigerator, replacement of the round meal tables, and other eligible equipment for the Alejandro Ruiz Senior Center. She said the equipment will be added to the lease schedule of equipment under the existing agreement between the City and SNMCAC for the program. She said in anticipation of the funds, the project has been budgeted under Project No. 100930. She said once the award is accepted, the City will incur the expenditures upfront and will submit reimbursement requests to ALTSD as the funds are spent. **Mrs. Austin** said staff seeks the City Council's consideration for acceptance and approval of the grant agreement, and to designate the Mayor or his designee to sign the grant agreement and any related documents.

0:28:12 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Chavez to approve to accept a 2023 NM Aging and Long-Term Services Department Grant to purchase equipment for the Meals program at the Alejandro Ruiz Senior Center.

0:28:21 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:28:35 **11. CONSIDER APPROVAL TO ACCEPT A 2023 NM AGING AND LONG-TERM SERVICES DEPARTMENT GRANT FOR RENOVATIONS AT THE ALEJANDRO RUIZ SENIOR CENTER**

Mrs. Austin said in May of 2022, the City of Carlsbad submitted a 2023 Capital Outlay Grant Application to the State of New Mexico Aging and Long-Term Services Department (ALTSD) for additional funding needed for Phase II of the Alejandro Ruiz

Senior Center. She said Phase II renovations included a roof, ADA parking, and secure and expanded parking. **Mrs. Austin** said due to rising costs, the City was not able to complete all of the planned improvements and thus submitted a request to complete the parking expansion, secure fenced parking for meals program vehicles, site lighting, and other associated ADA improvements. She said all capital outlay requests for senior programs follow an application process. She said the funding was allocated during the 2023 Legislative Session under the Laws of 2023, Chapter 199, Section 4, Paragraph 1, in the amount of \$402,306 minus the 1% in the Arts in Public Places of \$4,023 for a total of \$398,283.00. **Mrs. Austin** said in anticipation of the funds, the project has been budgeted under Project No. 100931. She said once the award is accepted, the City will incur the expenditures upfront and will submit reimbursement requests to ALTSD as the funds are spent. **Mrs. Austin** said staff seeks the City Council's consideration for acceptance and approval of the grant agreement, and to designate the Mayor or his designee to sign the grant agreement for any related documents.

0:30:24 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Walterscheid to approve to accept a 2023 NM Aging and Long-Term Services Department Grant for renovations at the Alejandro Ruiz Senior Center.

0:30:29 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:30:43 **12. CONSIDER APPROVAL TO ACCEPT A 2023 NM AGING AND LONG-TERM SERVICES DEPARTMENT GRANT FOR OUTDOOR RENOVATIONS AND EQUIPMENT FOR NORTH MESA SENIOR CENTER**

Mrs. Austin said in May of 2022, the City of Carlsbad submitted a 2023 Capital Outlay Grant Application to the State of New Mexico Aging and Long-Term Services Department (ALTSD) funding to renovate the outdoor parking, provide outdoor exercise equipment, and other safety features at the North Mesa Senior Recreation Center. She said the North Mesa Senior Recreation Center has only been on the list for senior centers in New Mexico in the past few years and is now eligible to apply for Capital Outlay funds under the ALTSD program. She said all capital outlay requests for senior programs follow an application process. She said the funding was allocated during the 2023 Legislative Session under the Laws of 2023, Chapter 199, Section 4, Paragraph 19, in the amount of \$431,021 minus the 1% in Arts in Public Places of \$4,310 for a total of \$426,711. **Mrs. Austin** said in anticipation of the funds, the project has been budgeted under Project No. 100935. She said once the award is accepted, the City will incur the expenditures upfront and will submit reimbursement requests to ALTSD as the funds are spent. **Mrs. Austin** said staff seeks the City Council's consideration for acceptance and approval of the grant agreement, and to designate the Mayor or his designee to sign the grant agreement and any related documents.

0:32:30 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Walterscheid to approve to accept a 2023 NM Aging and Long-Term Services Department Grant for Outdoor Renovations and Equipment for North Mesa Senior Center.

0:32:35 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:32:49 **13. CONSIDER APPROVAL TO ACCEPT A NEW MEXICO DEPARTMENT OF FINANCE ECONOMIC RECOVERY GRANT FOR THE DOUBLE EAGLE WATERLINE REPLACEMENT PROJECT**

Mrs. Austin said in May 22, 2023, the New Mexico Department of Finance Administration (NMDFA) announced the Economic Recovery Fund opportunity available for communities impacted by mineral and energy development as well as those who received federal stimulus funding. She said City staff identified the Double Eagle Waterline Replacement project as one that fit the funding criteria and needed additional funds to complete the project. She said \$6 million in funds were made available under the grant program and allocated during the 2021 Legislative Session for these types of projects. **Mrs. Austin** said the City submitted a grant application for \$1 million for the Double Eagle Waterline Replacement project which had received the Economic Development and Administration American Rescue Plan funding. She said the City of Carlsbad was notified of a conditional award on November 6, 2023, stipulating that the City attend a Community Development Council (CDC) hearing on December 12, 2023, to present the project and respond to any questions from the CDC. She said the CDC unanimously voted for approval of all the projects presented including an award to the City of Carlsbad of \$1,000,000 for the Double Eagle Waterline Extension project. She said once the grant agreement is accepted, the City will incur the expenditures upfront and will submit reimbursement requests to NMDFA as the funds are spent. She said the reversion date for this grant is June 30, 2025.

Councilor Walterscheid asked how long is the pipeline. **Mr. Cass** said it is approximately 5.5 miles. He said this is the funding the City has been looking for to complete this project. He said our most productive wells lie in the Double Eagle system. He said it provides a stub out down the ROW to bring Tatum water into Carlsbad.

Councilor Walterscheid asked if this water is coming from Tatum. **Mr. Cass** said this is the Double Eagle water field. He said Tatum is north of that and it is recently drilled and about to be put into production. **Councilor Walterscheid** asked how long is it going to be before the other wells are complete. He asked if we are waiting on the feasibility study on the other wells. **Councilor Rodriguez** said the City was working with another company to get the wells developed and pumping. He said when the City is ready, the rights would be leased.

0:36:56 **Mayor Lopez** asked how much this would cost the City. **Mr. Cass** said approximately \$300,000 to complete. **Mayor Lopez** asked if this grant will fund a majority of the cost. **Mr. Cass** said yes, it lets the City catch the wells that are furthest east that are the most productive.

Councilor Rodriguez asked if the City would be able to placemark this grant and resubmit for next year if the City is not ready to move forward. **Mr. Cass** said yes that would be the case. He said clearing has been complete on the project, pipe has been received, and a belt trencher has been mobilized. He said the ditch is being dug right now, so he does not anticipate a problem.

0:38:33 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Garwood to approve to accept a New Mexico Department of Finance Economic Recovery Grant for the Double Eagle Waterline Replacement Project.

0:38:40 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:38:54 **14. CONSIDER APPROVAL OF RESOLUTION 2024-03, A RESOLUTION TO ADOPT THE ARTS AND CULTURAL DISTRICT CULTURAL ECONOMIC DEVELOPMENT PLAN**

Mrs. Austin said in 2022, the City of Carlsbad accepted a grant as the fiscal agent on behalf of Carlsbad MainStreet to develop a Cultural Economic Development Plan for Pearl of the Pecos Arts and Cultural District. She said the City contracted with Sites Southwest to develop this plan. She said this plan is one of the final requirements needed for Carlsbad MainStreet to move forward with state authorization for an Arts and Culture District. She said this plan has been reviewed and approved by the Pearl of the Pecos Steering Committee, Carlsbad MainStreet Board, NM MainStreet, NM Arts, and the Historic Preservation Department. **Mrs. Austin** said in developing the plan, several city departments and community partners were involved in the process. She said the Plan outlines projects and priorities for the Arts and Culture District to focus on for the next few years.

Councilor Walterscheid asked what are the future plans for MainStreet. **Ms. Davis** said we have been working on this specific plan since 2021 but it has been a project for Carlsbad since 2016. She said this plan is a guiding tool for our Arts and Cultural District for the next 3-5 years. She said following the adoption of this plan, we will be going to Santa Fe to officially request a state authorization as an Arts and Cultural district. **Ms. Davis** said Arts and Cultural districts in the state of New Mexico are a newer concept whilst MainStreet is a household name. She said in the state of New Mexico, there are 32 accredited MainStreet districts and only seven Arts and Cultural

districts, therefore it is a rigorous process. She said once the proposed Resolution is adopted and the City has state authorization, it will open the City up to more funding and opportunities to partner with other communities throughout the state. **Ms. Davis** said she is hopeful that this Resolution is a guiding tool for the next 3-5 years.

0:45:25 **MOTION**

The motion was made by Councilor Foreman and seconded by Councilor Garwood to approve of Resolution 2024-03, a Resolution to adopt the Arts and Cultural District Cultural Economic Development Plan.

0:45:30 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:45:46 **15. CONSIDER APPROVAL OF RESOLUTION 2024-04, A RESOLUTION AUTHORIZING THE CITY OF CARLSBAD TO ACCEPT DEDICATION OF A PORTION OF REAL ESTATE THAT IS APPROXIMATELY 1,300 SQUARE FEET AND IS LOCATED ON RUSSELL STREET AS IT ENTERS ONTO NATIONAL PARKS HIGHWAY**

Mrs. Austin said the owner of Guadalupe Mountain Brewing Co. L.L.C is requesting that the City accept a dedication of a portion of land that is approximately 1,300 square feet, that is currently utilized as a right-of-way on Russell Street as it enters onto National Parks Highway. She said this portion of real estate includes a stop sign. She said the common street address of the property is 3324 National Parks Highway, Carlsbad, New Mexico. She said there are two lots at this address: Lots 10A and 10B and the owner would like to dedicate only Lot 10B to the City. **Mrs. Austin** said the City would receive the land through a quitclaim deed, subject to taxes, reservations in patents, easements, rights of way, leases, covenants and restrictions and reservations of record. **Mrs. Austin** said it is recommended by City staff to accept this piece of land so it can be included in ROWs.

0:47:19 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Walterscheid to approve of Resolution 2024-04, a Resolution authorizing the City of Carlsbad to accept dedication of a portion of real estate that is approximately 1,300 square feet and is located on Russell Street as it enters onto National Parks Highway.

0:47:22 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:47:38 **16. COUNCIL COMMITTEE REPORTS**

No reports.

0:47:45 **Mayor Lopez asked if anyone in the audience would like to address the Council.**

Norbert Rempe encourages City Council to mirror surrounding counties on passing Ordinances to protect the lives of unborn children.

0:50:34 **Mayor Lopez asked if anyone else in the audience would like to address the Council. No one appeared.**

Councilor Walterscheid said he wants to acknowledge Mrs. Barrios-Testa for all that she has done for the City of Carlsbad.

Councilor Chavez said he wants to thank City Council members for electing him as Mayor Pro Tem. He said he feels honored to be able to accept it.

0:51:29 **17. ADJOURN**

0:51:33 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Foreman to adjourn.

0:51:42 **VOTE**

The vote was as follows: Yes - Forrest, Walterscheid, Anaya-Flores, Chavez, Garwood, Foreman, Rodriguez; No - None; Absent - Niemeier; the motion carried.

0:51:57 **Adjourn**

There being no further business, the meeting was adjourned at 6:51 p.m.

ATTEST:

Richard D. Lopez, Mayor

Nadine Mireles, City Clerk

CITY OF CARLSBAD
PERSONNEL REPORT

February 13, 2024

APPOINTMENTS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Fabian Carrasco	02/14/24	Solid Waste	ARC Driver
Albert Castillo	02/14/24	Garage	Lubrication
Matt Hochstein	02/14/24	Waste Water	WW Operator Apprentice
Mario Ortega	02/14/24	Water	Heavy Equipment Operator
Steven Rodriguez	02/14/24	Garage	Master Mechanic
Michael Yanez	02/14/24	Pro Shop	Pro Shop Attendant, part-time

TERMINATIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>	<u>REASON</u>
Gerald Fox	01/31/24	Collections	Collection Supervisor	Retired
DeLiesh Heft	01/19/24	Police	Telecommunicator 2	Resigned
Shawn Martin	01/22/24	Collections	WW Operator 1	Discharged
Arturo Munoz	01/24/24	Projects	Inspector, Certified	Deceased
Alfredo Parraz	02/02/24	Water	Water Maintenance Supervisor	Resigned
Emalee Reynolds	01/21/24	Pro Shop	Pro Shop Attendant, part-time	Resigned

INTERNAL TRANSFERS AND PROMOTIONS:

<u>NAME</u>	<u>DATE</u>	<u>DEPARTMENT</u>	<u>CLASSIFICATION</u>
Christian Bannister	01/22/24	Finance	Account Clerk 3
Jimmy Broughton	01/22/24	Street	Heavy Equipment Operator
Honesty Florez	01/22/24	Human Resources	Secretary
Eli Vasquez	01/15/24	Community Service	Caretaker

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard Lopez, Mayor

Wendy Austin, City Administrator

TO: The Honorable Mayor Richard Lopez & Members of the City Council

FROM: Ivan M. Abell, Director of Utilities



Digitally signed by Ivan M. Abell
DN: cn=Ivan M. Abell, o=City of Carlsbad
Reason: I am the author of this document
Date: 2024.01.18 10:56:02-0800
Full PDF Escape version: 12.0.1

SUBJECT: Recommendation for Employment

DATE: January 18, 2024

The Following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to pre-hire medical examination:

General Information:

Name: Fabian T. Carrasco Classification/Position: ARC Driver
Department: Solid Waste

<input checked="" type="checkbox"/> Regular	<input checked="" type="checkbox"/> Full-time	<input checked="" type="checkbox"/> Hourly \$ <u>26.26</u> per hour
<input type="checkbox"/> Seasonal	<input type="checkbox"/> Part-time	<input type="checkbox"/> Salary \$ _____ per hour
<input type="checkbox"/> Temporary	<input type="checkbox"/> On call	

Education Level:

<input checked="" type="checkbox"/> High School Diploma	<input type="checkbox"/> GED or equivalent
<input type="checkbox"/> Associates Degree	_____
<input type="checkbox"/> Bachelors Degree	_____
<input type="checkbox"/> Masters Degree	_____
<input type="checkbox"/> Other	_____

Employment:

Present or last Employer: Evo Transportation
From June 2021 to present Classification: Truck Driver
Duties: Transport mail between NM and TX

Related Experience: 10 years of experience driving van straight trucks.

Comment: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard Lopez, Mayor

Wendy Austin, Interim City Administrator

TO: The Honorable Mayor Richard Lopez and members of the City Council

FROM: Patrick Cass, Director of Public Works

*Prove
for AC*

SUBJECT: Recommendation for Employment

DATE: January 31, 2024

The Following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Albert Castillo Classification/Position: Lubrication

Department: Garage

- | | | |
|---------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Regular | <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>21.42</u> per hour |
| <input type="checkbox"/> Seasonal | <input type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---------------------------------------------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or Last Employer: WIPP

From 1991 to 2024 Classification: Surface Maintenance

Duties: Equipment Maintenance, H-Vac, Plumbing, Hoist Inspection, Fire Fighter, EMT,

Related Experience: Man Lift, Scissor Lift, Hoist Inspection, License back-flow preventer

Comment: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Rick Lopez, Mayor

Wendy Austin, Interim City Administrator

TO: The Honorable Mayor Rick Lopez & Members of the City Council

FROM: Ivan M. Abell [Signature]

SUBJECT: Recommendation for Employment

DATE: 02/01/2024

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Matt D. Hochstein Classification/Position: Wastewater Aprentice

Department: Wastewater treatment plant

- Regular Full-time Hourly \$19.54 per hour
Seasonal Part-time Salary per annum
Temporary On call

Education Level:

- High School Diploma GED or equivalent
Associates Degree
Bachelors Degree
Masters Degree
Other

Employment:

Present or last Employer: Global Optics, MXU Department

From January 2022 to December 2023 Classification: Construction Manager

Duties: Conducted pre-construction meetings with sub contractors to implement the comprehensive of construction of project.

Over see the completion of project during and after to assure effective disposal of construction waste

Related Experience: Construction manager, Lead man at Mosaic Inc, Electric Lineman

Comments: We feel Mr. Hochstein to be the best candidate to to help the WWTP proceed in the future


CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard Lopez, Mayor

Wendy Austin, City Administrator

TO: The Honorable Mayor Richard Lopez & Members of the City Council

FROM: Ivan M. Abell, Director of Utilities 

SUBJECT: Recommendation for Employment

DATE: January 29, 2024

The Following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to pre-hire medical examination:

General Information:

Name: Mario R. Ortega Classification/Position: Heavy Equipment Operator 2
Department: Water Maintenance

- | | | |
|---------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Regular | <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>27.02</u> per hour |
| <input type="checkbox"/> Seasonal | <input type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---------------------------------------------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or last Employer: Patron Trucking

From 01/2019 to present Classification: Owner/Operator

Duties: Hotshot delivery driver, was in charge of entire business as a whole.

Related Experience: _____

Comment: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Richard Lopez, Mayor

Wendy Austin, Interim City Administrator

TO: The Honorable Mayor Richard Lopez & Members of the City Council

FROM: Patrick Cass, Director of Public Works

*Flow
AC*

SUBJECT: Recommendation for Employment

DATE: January 30, 2024

The Following applicant has met all pre-employment requirements and is at this moment recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Steven Rodriguez Classification/Position: Master Mechanic
Department: Garage

- | | | |
|---------------------------------------------|-----------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Regular | <input checked="" type="checkbox"/> Full-time | <input checked="" type="checkbox"/> Hourly \$ <u>31.31</u> per hour |
| <input type="checkbox"/> Seasonal | <input type="checkbox"/> Part-time | <input type="checkbox"/> Salary \$ _____ per hour |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> On call | |

Education Level:

- | | |
|---------------------------------------------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> High School Diploma | <input type="checkbox"/> GED or equivalent |
| <input type="checkbox"/> Associates Degree | _____ |
| <input type="checkbox"/> Bachelors Degree | _____ |
| <input type="checkbox"/> Masters Degree | _____ |
| <input type="checkbox"/> Other | _____ |

Employment:

Present or Last Employer: Simco
From 7/2023 to 1/24/24 Classification: Waste Handler
Duties: Removing waste from Tru-pacts and placing it underground for permanent storage.

Related Experience: Worked for the City Garage as a Superintendent, Heavy Equipment Mechanic, Small Engine Mechanic, and Hydraulic Mechanic.

Comment: _____

CITY OF CARLSBAD

RECOMMENDATION FOR EMPLOYMENT

Rick Lopez, Mayor

TO: The Honorable Mayor Rick Lopez & Members of the City Council

FROM: Ted Cordova, Director of Community Development Ted Cordova

Digitally signed by Ted Cordova
DN: cn=Ted Cordova, o=City of Carlsbad, ou=Community Development, email=tcordova@cityofcarlsbad.com, c=US
Date: 2024.02.01 13:11:31 -0700

SUBJECT: Recommendation for Employment

DATE: 1/31/24

The following applicant has met all pre-employment requirements and is hereby recommended for employment with the City of Carlsbad subject to a pre-hire medical examination:

General Information:

Name: Michael Yanez Classification/Position: Beverage Cart

Department: Golf Pro Shop

- Regular Full-time Hourly \$23.54 per hour
Seasonal Part-time Salary \$ per annum
Temporary On call

Education Level:

- High School Diploma GED or equivalent
Associates Degree
Bachelors Degree NMSU Bachelor's in Marketing
Masters Degree
Other

Employment:

Present or last Employer: SGWS

From 6/26/23 to Current Classification: Sales Consultant

Duties: Sales, Merchandise, and Inventory

Related Experience: Sales Currently in alcohol related field, customer service in restaurant operations, marketing background.

Comments: Mike has a great personality along with a lot of experience in the customer service industry. I feel his knowledge will only benefit the customers at the golf course. His experience in the restaurant and bar service industry will be beneficial in the Beverage Cart position. Mike is also a golfer, so his knowledge of the course will help in his transition period.

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION

Council Meeting Date: 2/13/24

Department: PARKS	BY: Matt Fletcher, CPO	Date: 2/07/24
SUBJECT: Services Description: Solicit bids for electrical components to replace the existing lighting at the Lake Carlsbad Recreation Area.		

*Usalido
2/7/24*

SYNOPSIS:	Qty <u>1</u>	Total Est. Cost	<u>\$ 65,000.00</u>	Total Actual Cost	
	Budgeted Yes	Est. City Share	<u>\$ 65,000.00</u>	Actual City Share	
	Account # <u>100917</u>		<u>\$ 65,000.00</u>		
	Account # _____				
	Account # _____				
	Account # _____				
	TOTAL		<u>\$ 65,000.00</u>		

BACKGROUND, JUSTIFICATION AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)

The City of Carlsbad needs to replace the existing lighting at the Lake Carlsbad Recreation Area. Due to the cost of the new equipment needed to complete this project, a formal bid solicitation is required under the New Mexico Procurement Code.

The City requests authorization to solicit bids for this equipment.

Requested action to be taken by Council: Advertise Invitation for Bid	Council Action Taken: Select one	Date:
---------------------------------------------------------------------------------	--------------------------------------------	--------------

Reviewed by City Administrator: Interim /s/Wendy Austin 02/08/2024

POST BID/RFP RECOMMENDATION	Council Meeting Date:
Requested action to be taken by Council: Other:	Council Action Taken: Select one
ADDITIONAL INFORMATION:	
Reviewed by City Administrator:	

ATTACHMENT(S): Specifications Bid/RFP Summary Other: _____

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM
PURCHASING RECOMMENDATION

Council Meeting Date: 2/13/24

Department: EXECUTIVE	BY: Matt Fletcher, CPO	<i>[Signature]</i> Date: 2/07/24																												
SUBJECT: Services Description: Solicit proposals for On-Call Grant Management Services																														
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">SYNOPSIS:</td> <td style="width:15%;">Qty <u>1</u></td> <td style="width:25%;">Total Est. Cost <u>\$ 120,000.00</u></td> <td style="width:45%;">Total Actual Cost _____</td> </tr> <tr> <td></td> <td>Budgeted Yes</td> <td>Est. City Share <u>\$ 120,000.00</u></td> <td>Actual City Share _____</td> </tr> <tr> <td></td> <td>Account # <u>10111-61200</u></td> <td><u>\$ 120,000.00</u></td> <td></td> </tr> <tr> <td></td> <td>Account # _____</td> <td>_____</td> <td></td> </tr> <tr> <td></td> <td>Account # _____</td> <td>_____</td> <td></td> </tr> <tr> <td></td> <td>Account # _____</td> <td>_____</td> <td></td> </tr> <tr> <td></td> <td colspan="2" style="text-align: right;">TOTAL</td> <td><u>\$ 120,000.00</u></td> </tr> </table>			SYNOPSIS:	Qty <u>1</u>	Total Est. Cost <u>\$ 120,000.00</u>	Total Actual Cost _____		Budgeted Yes	Est. City Share <u>\$ 120,000.00</u>	Actual City Share _____		Account # <u>10111-61200</u>	<u>\$ 120,000.00</u>			Account # _____	_____			Account # _____	_____			Account # _____	_____			TOTAL		<u>\$ 120,000.00</u>
SYNOPSIS:	Qty <u>1</u>	Total Est. Cost <u>\$ 120,000.00</u>	Total Actual Cost _____																											
	Budgeted Yes	Est. City Share <u>\$ 120,000.00</u>	Actual City Share _____																											
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	Account # _____	_____																												
	Account # _____	_____																												
	TOTAL		<u>\$ 120,000.00</u>																											
<p>BACKGROUND, JUSTIFICATION AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) The City of Carlsbad is soliciting proposals from qualified vendors ("Respondents") to enter into a multi-year on-call services contract for grant research, writing, and management services with the City of Carlsbad. The selected Respondent will support the Grant Programs department in researching and securing grants related to various areas, including housing, transportation, environmental initiatives, recreation, parks, public safety, and quality of life initiatives. The purpose of this RFP is to identify and select a consultant or consultants that can provide comprehensive grant research, writing, and management support services to help the City maximize the benefits of grant funding for our community initiatives. Respondents should have demonstrated experience and expertise in grant research, writing, and management services, specifically in the areas identified in the RFP, a track record of successful grant acquisitions, and a proven ability to secure funding for community-based projects.</p> <p>The City requests authorization to conduct an RFP for On-Call Grant Management Services.</p>																														
Requested action to be taken by Council: Advertise Invitation for Request for Proposal	Council Action Taken: Select one	Date:																												
Reviewed by ^{Interim} City Administrator: /s/Wendy Austin		02/08/2024																												
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:40%;">POST BID/RFP RECOMMENDATION</td> <td style="width:60%;">Council Meeting Date:</td> </tr> <tr> <td> Requested action to be taken by Council: Other: </td> <td> Council Action Taken: Select one </td> </tr> <tr> <td colspan="2"> ADDITIONAL INFORMATION: _____ _____ </td> </tr> <tr> <td colspan="2"> Reviewed by City Administrator: </td> </tr> </table>			POST BID/RFP RECOMMENDATION	Council Meeting Date:	Requested action to be taken by Council: Other:	Council Action Taken: Select one	ADDITIONAL INFORMATION: _____ _____		Reviewed by City Administrator:																					
POST BID/RFP RECOMMENDATION	Council Meeting Date:																													
Requested action to be taken by Council: Other:	Council Action Taken: Select one																													
ADDITIONAL INFORMATION: _____ _____																														
Reviewed by City Administrator:																														

ATTACHMENT(S): Specifications Bid/RFP Summary Other: _____

**CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM**

COUNCIL MEETING DATE: February 13, 2024

DEPARTMENT: Executive	BY: Wendy Austin – Interim City Administrator <i>WA</i>	DATE: January 29, 2024												
SUBJECT: Agreement Between the City of Carlsbad and Kyle Marksteiner for Consulting Services														
<p>SYNOPSIS, HISTORY and IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):</p> <p>The City wishes to enter into an agreement with Kyle Marksteiner to provide professional services related to City communications, including press releases, social media, content proofing, and marketing campaigns. In addition, Mr. Marksteiner will be asked to assist with certain City events and in supporting the monthly Nuclear Task Force Meeting.</p> <p>Mr. Marksteiner is a previous, long-term City employee and a valuable asset to the City of Carlsbad. The City is fortunate that Mr. Marksteiner is willing to continue assisting the City, even on a very limited basis.</p>														
<p>DEPARTMENT RECOMMENDATION:</p> <p>Approve the Agreement Between the City of Carlsbad and Kyle Marksteiner for Consulting Services</p>														
<p>BOARD/COMMISSION/COMMITTEE ACTION:</p> <table border="0"> <tr> <td><input type="checkbox"/> P&Z</td> <td><input type="checkbox"/> Lodgers Tax Board</td> <td><input type="checkbox"/> Cemetery Board</td> <td><input type="checkbox"/> APPROVED</td> </tr> <tr> <td><input type="checkbox"/> Museum Board</td> <td><input type="checkbox"/> San Jose Board</td> <td><input type="checkbox"/> Water Board</td> <td><input type="checkbox"/> DISSAPPROVED</td> </tr> <tr> <td><input type="checkbox"/> Library Board</td> <td><input type="checkbox"/> N. Mesa Board</td> <td><input type="checkbox"/> Budget Committee</td> <td></td> </tr> </table>			<input type="checkbox"/> P&Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED	<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISSAPPROVED	<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> Budget Committee	
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<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISSAPPROVED											
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> Budget Committee												
<p>Reviewed by: Interim City Administrator: <u>/s/Wendy Austin</u> Date: <u>02/08/2024</u></p>														

ATTACHMENTS:

- Agreement Between the City of Carlsbad and Kyle Marksteiner for Consulting Services

AGREEMENT BETWEEN THE CITY OF CARLSBAD AND KYLE MARKSTEINER FOR CONSULTING SERVICES

THIS AGREEMENT is entered into, at Carlsbad, New Mexico this 1st day of January, 2024 by and between the CITY OF CARLSBAD, New Mexico, a municipal corporation, hereinafter referred to as "CITY" and KYLE MARKSTEINER, EDDY COMMUNICATIONS & CONSULTING, an individual, hereinafter referred to as "KYLE".

NOW THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

Scope of Work

1. All work shall be authorized by only the Mayor of Carlsbad or City Administrator, on an as-needed basis determined by the Mayor of Carlsbad or City Administrator.
2. Provide assistance to the City of Carlsbad Mayor in preparing press releases, speeches, and other written materials.
3. Provide guidance to the Communication Specialist on such items as the City of Carlsbad Facebook Page, marketing campaigns, and proofing of creative content, that conforms to the City of Carlsbad Communication Policy.
4. Assist with facilitating and attend the monthly Nuclear Task Force Meeting.
5. Provide consultation and support related to events planning, marketing, and media communications that conforms to the City of Carlsbad Communication.
6. Provide other services as requested by the Mayor of Carlsbad or City Administrator, and agreed to by KYLE.
7. For a limited time, at the CITY's discretion, KYLE will be allowed to retain the email address: kmarksteiner@cityofcarlsbadnm.com. This email address should only be utilized for CITY business and KYLE should direct, and transition, all pertinent information to the following email address: publicinfrmation@cityofcarlsbadnm.com

Compensation

1. In consideration for all services provided by "KYLE" to the CITY, the CITY shall pay KYLE Forty-Five Dollars per hour (\$45.00/hr.), in 15-minute increments, provided such services do not exceed a total of \$60,000 per fiscal year, July-June.
2. Payments for services rendered shall be upon presentation of an invoice, to the City Administrator, specifying the dates and number of hours worked, and a description of the work performed.
3. Payments to KYLE shall be processed by the CITY within fifteen (15) days of receipt of invoice.
4. KYLE shall provide CITY with a W-9 Tax Identification form prior to first payment being issued.
5. KYLE is an independent contractor and shall be responsible for the payment of all taxes and other expenses incurred due to this Agreement.
6. KYLE shall not accrue benefits, rights, or privileges afforded only to employees of the CITY

Term and other Considerations of Agreement

1. The term of this Agreement shall begin on January 1, 2024 and terminate on December 31, 2024.
2. Either party may terminate this Agreement without cause by providing the other party written notice of its intention to terminate the Agreement at least two weeks, fourteen (14) days prior to the termination date.
3. This Agreement shall be governed by the laws of the State of New Mexico
4. This Agreement incorporates all agreements, covenants, and understandings between the parties concerning the subject matter of this Agreement. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.
5. This Agreement may not be changed except by a writing executed with the same formality as with this Agreement.
6. Should any dispute arise between the parties in connection with the Agreement and if such dispute cannot be resolved by discussion between the parties, the parties agree to submit the unresolved dispute to binding arbitration in lieu of litigation.

Notices

All communications required or permitted by the terms of this Agreement shall be in writing and deemed to have been duly given and delivered, if mailed certified postage prepaid to the following:

To the CITY:

City of Carlsbad
c/o Mayor Lopez
P. O. Box 1569
Carlsbad, NM 88221

To KYLE:

Kyle Marksteiner
Eddy Communications and Consulting
1315 W. Thomas
Carlsbad, NM 88220

CITY OF CARLSBAD:

Richard D. Lopez, Mayor of Carlsbad



Kyle Marksteiner, Eddy Communications & Consulting

**CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM**

COUNCIL MEETING DATE: February 13, 2024

DEPARTMENT: Finance	BY: Melissa Salcido, Finance Director <i>Msalcido 4/3/24</i>	DATE: January 31, 2024												
SUBJECT: Second Renewal of Agreement Between the City of Carlsbad and LeAnne Weldon, DMV, LLC for the Provision of City Animal Licenses.														
SYNOPSIS, HISTORY, AND IMPACT (SAFETY AND WELFARE, FINANCIAL, PERSONNEL, INFRASTRUCTURE, ETC.) All cat and dog owners residing in City limits are required to obtain a City animal license for each animal. Such Animal License may not be issued until the dog or cat has been vaccinated with an antirabies vaccine. The New Mexico Department of Health requires the antirabies vaccine be distributed only to licensed veterinarians; and the City of Carlsbad Code permits a veterinary practice to issue Animal Licenses, if that veterinary practice has entered into a current agreement with the CITY for the provision of such licenses. Since 2018, LeAnne Weldon has issued Temporary Animal Licenses for the City of Carlsbad to the owner of a cat or dog which has been vaccinated by the Veterinary Practice with the antirabies vaccine in compliance with all local, state and federal laws, rules, regulations and policies. The most recent lease agreement expired December 31, 2023. If approved, this contract would renew the lease through December 31, 2028.														
DEPARTMENT RECOMMENDATION: Approval of contract.														
BOARD/COMMISSION/COMMITTEE ACTION: <table style="width: 100%; border: none;"><tr><td><input type="checkbox"/> P&Z</td><td><input type="checkbox"/> Lodgers Tax Board</td><td><input type="checkbox"/> Cemetery Board</td><td><input type="checkbox"/> APPROVED</td></tr><tr><td><input type="checkbox"/> Museum Board</td><td><input type="checkbox"/> San Jose Board</td><td><input type="checkbox"/> Water Board</td><td><input type="checkbox"/> DISSAPPROVED</td></tr><tr><td><input type="checkbox"/> Library Board</td><td><input type="checkbox"/> N. Mesa Board</td><td><input type="checkbox"/> Budget Committee</td><td></td></tr></table>			<input type="checkbox"/> P&Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED	<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISSAPPROVED	<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> Budget Committee	
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<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> Budget Committee												
Reviewed by Interim City Administrator /s/Wendy Austin		Date: 02/08/2024												

**AGREEMENT BETWEEN THE CITY OF CARLSBAD
AND LeANNE WELDON, DMV, LLC
FOR THE PROVISION OF CITY ANIMAL LICENSES**

THIS AGREEMENT is entered into at Carlsbad, New Mexico, this 2nd day of January, 2024, by and between the **CITY OF CARLSBAD**, New Mexico, a municipal corporation, hereinafter referred to as "**CITY**," and **LeANNE WELDON, DVM, LLC**, a New Mexico limited liability company, hereinafter referred to as "**VETERINARY PRACTICE**".

WHEREAS, pursuant to the Code of Ordinances, City of Carlsbad, New Mexico, the owners of dogs or cats residing in the CITY are required to obtain City animal licenses for each animal (hereinafter referred to as an "Animal License"); and

WHEREAS, such an Animal License may not be issued unless and until the dog or cat has been vaccinated with an antirabies vaccine; and

WHEREAS, the New Mexico Department of Health requires the antirabies vaccine to be distributed only to licensed veterinarians; and

WHEREAS, the Carlsbad City Code permits a veterinary practice to issue Animal Licenses if that veterinary practice has entered into a current agreement with the CITY for the provision of such licenses; and

WHEREAS, LeAnne Weldon, DVM, LLC desires to enter into an agreement with the CITY to issue Temporary Animal Licenses at its place of business;

NOW THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, agree as follows:

1. **Ability to Issue Temporary Animal Licenses.** Upon the VETERINARY PRACTICE's performance of the covenants, terms, and conditions of this Agreement, the CITY hereby agrees to permit the VETERINARY PRACTICE to issue a Temporary Animal License to the owner of a cat or dog which cat or dog has been vaccinated by the VETERINARY PRACTICE with the antirabies vaccine in compliance with all applicable local, state, and federal laws, rules, regulations, and policies.

2. **Issuance of Temporary Animal License.** The Temporary Animal License shall be in the form established by the CITY. The VETERINARY PRACTICE may issue to the owner of a dog or cat a Temporary Animal License after it performs the following duties:

A. Vaccinates or confirms that the dog or cat is currently vaccinated with the antirabies vaccine in compliance with all applicable local, state, and federal laws, rules, regulations, and policies;

B. Receipt of full payment of the Animal License fee as such is set by the CITY. A list of the fees as of the time of the execution of this Agreement is attached hereto and incorporated herein as Exhibit "A". The CITY shall provide the VETERINARY PRACTICE with written notice of any change in the fees at least fifteen (15) days prior to

the effective date of the new fees.

C. **Collection and recording the following information:**

- i. Name of the owner of the animal;
- ii. Address of the owner of the animal;
- iii. Animal's name;
- iv. Description of the animal, to include at a minimum the animal's species, breed, gender, and whether it is spayed or neutered;
- v. Date the antirabies vaccination was administered to the animal;
- vi. Expiration date of the period of rabies immunity;
- vii. Name of the veterinarian who administered the antirabies vaccination; and
- viii. Antirabies vaccination tag number;

3. **Submission of Information and Fees to the CITY.** For each and every Temporary Animal License issued by the Veterinary Practice, the Veterinary Practice shall:

A. Within one (1) business day of the issuance of the Temporary Animal License, provide the CITY with a copy of the licensed animal's Rabies Vaccination Certificate and a copy of the Temporary Animal License. The information shall be submitted either:

- i. on paper; or
- ii. in an electronic format acceptable to the CITY; and

B. On or before the 10th day of each month, submit to the CITY:

- i. All fees for the Temporary Animal Licenses issued in the preceding month; and
- ii. An accounting of the Temporary Animal Licenses issued and fees collected in the preceding month.

4. **Compensation to VETERINARY PRACTICE.** As compensation for issuing the Temporary Animal Licenses and for providing the services pursuant to this Agreement, the VETERINARY PRACTICE may charge each person purchasing a Temporary Animal License from the VETERINARY PRACTICE a reasonable fee in addition to the license fee set by the CITY.

5. **Compliance with Laws.** The VETERINARY PRACTICE shall comply with all applicable local, state, and federal laws, rules, regulations, and policies and shall obtain and maintain any and all permits, licenses, or certifications that may be necessary to carry out the operations contemplated by this Agreement. In the event the VETERINARY PRACTICE should cease to be properly permitted, licensed, or certified, it shall immediately inform the City Administrator and shall immediately cease its operations pursuant to this Agreement. Within five (5) days of ceasing to be properly permitted, licensed, or certified, the VETERINARY PRACTICE shall also notify the CITY in writing of that event. The VETERINARY PRACTICE shall require all its officers, employees, and agents, to comply with all applicable local, state, and federal laws, rules, regulations, and policies.

6. **Term.** The term of this Agreement shall be for five (5) years beginning on the

1st day of January 2024, and terminating on the 31st day of December 2028.

7. **Records.** For the term of this Agreement and for five (5) years after the expiration or termination of this Agreement, the VETERINARY PRACTICE shall maintain copies of all records regarding any and all activities conducted pursuant to this Agreement. The CITY shall have the right to inspect and copy such records upon ten (10) day written notice to the VETERINARY PRACTICE.

8. **Indemnification.** The VETERINARIAN PRACTICE agrees to indemnify, save, and hold harmless the City, its officers, agents, and employees against all liability, claims, damages, losses, or expenses of every kind, including reasonable attorneys' fees together with costs and expenses of litigation, arising out of, from, or associated in any manner with the acts or omissions of the VETERINARY PRACTICE, its officers, agents, or employees.

9. **Release.** The VETERINARY PRACTICE, upon final payment of the amount due under this Agreement, releases the CITY, its officers, agents, and employees from all liabilities, claims, and obligations whatsoever arising from or under this Agreement. The VETERINARY PRACTICE agrees not to purport to bind the City of Carlsbad, unless the VETERINARY PRACTICE has express written authority to do so, and then only within the strict limits of that authority.

10. **Assignment of Agreement.** The VETERINARY PRACTICE shall not assign or transfer any interest in or right to this Agreement without the prior written approval of the CITY.

11. **Default or Breach.** Each of the following events shall constitute a default or breach of this Agreement:

A. **Bankruptcy Filing.** If the VETERINARY PRACTICE, during the term of this Agreement, shall file a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, or shall voluntarily take advantage of any such act by answer or otherwise, or shall make an assignment for the benefit of creditors.

B. **Involuntary Proceedings.** If involuntary proceedings under any bankruptcy law or insolvency act shall be instituted against the VETERINARY PRACTICE, or if a receiver or trustee shall be appointed for all or substantially all of the property of the VETERINARY PRACTICE and such proceedings shall not be dismissed or the receivership or trusteeship vacated within sixty (60) days after the institution or appointment.

C. **Failure to Comply.** If the VETERINARY PRACTICE fails to perform or comply with any of the conditions of this Agreement, and if the nonperformance shall continue for a period of fifteen (15) days after notice thereof by the CITY to the VETERINARY PRACTICE, or, if the performance cannot be reasonably had within the fifteen (15) day period, and the VETERINARY PRACTICE shall not in good faith have commenced performance within the fifteen (15) day period and then diligently proceeded to completion of performance.

D. **Transfer.** If this Agreement shall be transferred to or shall pass to or devolve to

any other person or party, except in the manner specified herein.

12. **Effect of Default.** In the event of default hereunder as set forth in this Agreement, the rights of the CITY shall be as follows:

A. **Cancel and Terminate.** The CITY shall have the right to cancel and terminate this Agreement. On expiration of the time fixed in the notice, this Agreement and all rights, title, and interest of the VETERINARY PRACTICE hereunder shall terminate in the same manner and with the same force and effect, except as to the VETERINARY PRACTICE's liability, as if the date fixed in the notice of cancellation and termination were the end of the term herein originally determined.

B. **Remedy Default.** The CITY may elect, but shall not be obligated, to make any payment required of the VETERINARY PRACTICE herein or comply with any agreement, term, or condition required hereby to be performed by the VETERINARY PRACTICE, and the CITY shall have the right to direct or remedy any such default; but any expenditure for correction by the CITY shall not be deemed to waive or release the default of the VETERINARY PRACTICE or the right of the CITY to take any action as may be otherwise permissible or to seek other remedy under the law.

13. **Non-Waiver.** Waiver by the CITY of any default in performance by the VETERINARY PRACTICE of any of the terms or conditions contained in this Agreement shall not be deemed a continuing waiver of that default or any subsequent default.

14. **Termination.** Either party may terminate this Agreement without cause by providing the other party with written notice of its intention to terminate this Agreement at least sixty (60) days prior to the termination date. By such termination, neither party may nullify obligations already incurred prior to the date of termination of the Agreement. However, neither party shall have any obligation to perform services or make payment for such services rendered after such date of termination.

15. **Entirety of Agreement.** This Agreement incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements, and understandings have been merged into this written Agreement. No prior agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement. The parties expressly waive any other or further representations, warranties, or agreements not set forth in this document. This Agreement may not be changed except by writing executed with the same formality as with this Agreement.

16. **Independent Contractor.** The VETERINARY PRACTICE, its officers, employees, and agents are independent contractors performing professional services for the CITY and are not employees of the CITY. The VETERINARY PRACTICE and its officers, employees, and agents shall not accrue leave, retirement, insurance, bonding, use of city vehicles, or any other benefits afforded to the employees of the City of Carlsbad as a result of this Agreement.

17. **Workers' Compensation.** The VETERINARY PRACTICE agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the VETERINARY PRACTICE fails to comply with the Workers' Compensation Act and applicable rules when required to do so, this agreement may be terminated by the CITY.

18. **Notices.** All notices permitted or required by the terms of this Agreement shall be in writing and be deemed to have been duly given and delivered, if mailed, certified postage prepaid:

If to CITY:

The City of Carlsbad
c/o City Administrator
P.O. Box 1569
Carlsbad, NM 88221-1569

If to VETERINARY PRACTICE:

LeAnne Weldon, DVM, LLC
c/o LeAnne Weldon, DVM
618 W. Pierce St.
Carlsbad, NM 88220

The parties shall notify each other in writing of any change in the above information.

19. **New Mexico Law and Venue.** The parties agree this Agreement shall be construed and controlled by the laws of the State of New Mexico. The parties further agree that any legal actions arising out of this Agreement shall be brought in the District Court of Eddy County, New Mexico for the Fifth Judicial District. The parties expressly consent to both *in personam* and subject matter jurisdiction of the Eddy County District Court and agree that venue shall properly lie in the Eddy County, New Mexico District Court.

20. **Arbitration.** Should any dispute arise between the parties in connection with the Agreement and if such dispute cannot be resolved by discussion between the parties, the parties agree to submit the unresolved dispute to binding arbitration in lieu of litigation.

21. **Captions.** The captions of any articles, paragraphs, or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any of the provisions thereof.

22. **Exhibits.** Any instrument or document made and attached to this Agreement shall constitute a part hereof as though set forth in full in the body of this Agreement, whether made a part hereof by reference or whether made a part hereof by attachment.

CITY OF CARLSBAD:

EXHIBIT "A"

LICENSE FEES

City of Carlsbad Animal License Fees as of January 1, 2024:

MALE CAT OR DOG

Neutered: \$4.00
Intact: \$4.00

FEMALE CAT OR DOG

Spayed: \$4.00
Intact: \$6.00

**CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM**

COUNCIL MEETING DATE: 02/13/2024

DEPARTMENT: Fire	BY: Ken Ahrens, Fire Chief <i>KA</i>	DATE: 02/06/2024
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SUBJECT: Memorandum of Agreement A-24-10, between Carlsbad Fire Department and Eddy County Fire and Rescue.

SYNOPSIS, HISTORY and IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
BACKGROUND:

The Carlsbad Fire Department would like to enter into a Memorandum of Agreement with Eddy County Fire and Rescue concerning EMS patient transport. Currently, Carlsbad Fire Department is the only EMS agency certified for emergency medical transport in southern Eddy County. Eddy County Fire Rescue has recently received state certification as a Medical Rescue Agency, allowing them to transport patients if no other EMS agencies are available.

This Agreement will specify under what conditions Eddy County Fire and Rescue can exercise their Medical Rescue certification and provide patient transport within the area currently served by Carlsbad Fire Department. These conditions include; when requested by Carlsbad Fire Department, when immediate transport by Eddy County Fire and Rescue is needed to save life or limb, or when every Carlsbad Fire Department ambulance is already committed on other EMS responses.

Entering into this Agreement will allow both Carlsbad Fire Department and Eddy County Fire and Rescue to more effectively and efficiently provide patient care and transport to the communities in southern Eddy County.

DEPARTMENT RECOMMENDATION: The Carlsbad Fire Department recommends that City Council approves Memorandum of Agreement A-24-10, between Carlsbad Fire Department and Eddy County Fire and Rescue.

BOARD/COMMISSION/COMMITTEE ACTION:

<input type="checkbox"/> P&Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	<input type="checkbox"/> APPROVED
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISSAPPROVED
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee	

Reviewed by: Interim
City Administrator: /s/Wendy Austin **Date:** 02/08/2024

A-24-10
MEMORANDUM OF AGREEMENT
BETWEEN
CARLSBAD FIRE DEPARTMENT
AND
EDDY COUNTY FIRE & RESCUE

SUBJECT: Emergency and non-emergency mutual aid assistance between the Carlsbad Fire Department (hereinafter, CFD) and Eddy County Fire & Rescue (hereinafter, ECFR). This agreement entered into this 9th day of January, 2024 by and between CFD and ECFR.

1. **Purpose:** The primary purpose of this MOA is to establish and set forth the design and implementation of a mutual aid plan for patient transport services between the CFD and ECFR at the request of the public regulation commission-certificated ambulance service of the City of Carlsbad.

2. **Terms of Agreement:**

ECFR may provide patient transport within the Carlsbad Fire Department certificated service area provided:

- a) A transportation request is received from the Carlsbad Fire Department
- b) Saving of life or limb: when ECFR is dispatched without the intent to transport, but transports patient(s) due to life or limb saving necessity.
- c) System demand: ECFR may transport a patient when there is no ambulance service available or may intercept with any air or ground ambulance service when it is beneficial for the patient.
- d) ECFR shall notify the Carlsbad Fire Department should this agreement, its contents or any witness to its contents become subject to subpoena, discovery request, notice of deposition, public records request, or court order, which seeks disclosure of its contents.

The Carlsbad Fire Department will request patient transport assistance based on a risk assessment decision made by the Senior Fire Officer On-Duty. This request will be based on several factors, including, but not limited to:

- a) Scope and nature of emergency, or in some cases, multiple emergencies
- b) Call volume impact on Carlsbad Fire Department's ability to continue emergency ambulance service for the Citizens of South Eddy County
- c) Availability and number of in-service ambulances
- d) Availability and number of Carlsbad Fire Department personnel

3. **Termination of Agreement:**

This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least 30 days prior to intended date of termination.

4. **Period of Agreement:**

This agreement shall become effective on 9th day of January, 2024 or as soon thereafter as approved by respective parties and shall remain in effect for a period not to exceed 4 years unless terminated pursuant to paragraph 3. All amendments shall be made in writing and shall be agreed to and executed by the respective parties before becoming effective.

By:  January 9, 2024
Bo Bowen, Commission Chair Date
Eddy County, New Mexico

By: _____
Richard Lopez, Mayor Date
City of Carlsbad, New Mexico

By: _____
Ken Ahrens, Fire Chief Date
Carlsbad Fire Department

By:  1/9/2024
Josh Mack, Fire Chief Date
Eddy County Fire and Rescue

By:  1/9/2024
Cara Cooke, County Clerk Date
Eddy County

By: _____
Nadine Mireles, City Clerk Date
City of Carlsbad



**CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM**

COUNCIL MEETING DATE: 02/13/2024

DEPARTMENT: Fire	BY: Ken Ahrens, Fire Chief <i>KA</i>	DATE: 02/05/2024
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SUBJECT: Memorandum of Understanding between Carlsbad Fire Department and U.S. Department of the Interior Bureau of Land Management, New Mexico State Office, Pecos District.

SYNOPSIS, HISTORY and IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
BACKGROUND:

The Carlsbad Fire Department would like to enter into a Memorandum of Understanding (MOU) with the U.S. Department of the Interior Bureau of Land Management, New Mexico State Office, Pecos District (BLM). Carlsbad Fire Department and BLM often work together to reduce hazardous wildfire fuels in and around the City of Carlsbad by conducting prescribed and controlled wildland burns. These burns are done in an effort to reduce the likelihood of a wildfire occurring in Carlsbad and spreading to occupied homes and businesses.

This MOU outlines the roles and responsibilities of both Carlsbad Fire Department and BLM when conducting these prescribed burns as they pertain to jurisdiction, operational command, qualification standards, and liabilities for injured personnel or damaged equipment.

DEPARTMENT RECOMMENDATION: The Carlsbad Fire Department recommends that City Council approves this Memorandum of Understanding between Carlsbad Fire Department and U.S. Department of Interior Bureau of Land Management, New Mexico State Office, Pecos District.

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|----------------------------------------|--------------------------------------------|------------------------------------------|---------------------------------------|
| <input type="checkbox"/> P&Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Cemetery Board | <input type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | <input type="checkbox"/> DISSAPPROVED |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> _____ Committee | |

Reviewed by Interim
City Administrator: /s/Wendy Austin **Date:** 02/08/2024

MEMORANDUM OF UNDERSTANDING

among:

THE U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEW MEXICO STATE OFFICE
PECOS DISTRICT

and

CARLSBAD FIRE DEPARTMENT

concerning:

HAZARDOUS FUELS MANAGEMENT

This Memorandum of Understanding (MOU) between the Bureau of Land Management, hereinafter referred to as “BLM”, and the City of Carlsbad, hereinafter referred to as the “City”, is to facilitate cooperation of the two parties in wildland fire management. The BLM and the City shall be referred to individually hereinafter as a “Party” and collectively as the “Parties”.

This MOU is hereby entered into under the authority of the Watershed Restoration and Enhancements Agreements, aka the Wyden Amendment, 16 U.S.C. 1011, P.L. 104–208, Section 124, as amended by P.L. 105-277, Section 323.

This MOU is to facilitate the cooperation of the two parties in the use of prescribed fire and other fuels management practices to reduce hazardous fuels in the wildland urban interface (WUI). The MOU provides for the limited interchange of personnel, equipment, and information to obtain this goal.

WITNESSETH

WHEREAS, the City and the BLM have expertise in prescribed burning and wildland fire management; and currently employ or have under contract, personnel and equipment capable of performing wildland fire management; and

WHEREAS, it will be the mutual benefit of both parties to combine resources on certain prescribed burn projects; and

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree as follows:

1. The following terms shall have the following meanings as used in this MOU:

a. Assisting Party: Party that provides employees or volunteers to assist the Jurisdictional Party with fire activities.

b. Jurisdictional Party: The Party that possesses ownership of or management authority over the land involved in the fire activities.

c. Prescribed Fire Burn Boss (RXB): Person responsible for supervising a prescribed fire from ignition through mop-up, on behalf of and at the request of the Jurisdictional party.

d. Chief of Party: Designated leader of Assisting Party for a particular fire activity.

e. Project Officer: Individual for each Party that is responsible for implementation of this MOU.

f. Prescribed Fire: Any fire ignited by management actions to meet specific objectives.

2. Upon request, personnel and equipment may be provided by the BLM to the City, or the City to the BLM pursuant to the terms and conditions outlined in this MOU. Staff and equipment provided under this MOU may be used for, but are not limited to, the following purposes:

a. Technical assistance including preparation or review of prescribed fire burn plans.

b. Pre-burn preparations including vegetation and fuel load sampling, control line construction and maintenance, environmental monitoring, and fuels manipulation.

c. Burn implementation including project supervision, ignition, holding, fire behavior monitoring, weather monitoring, logistical support, and mop-up.

d. Post-burn monitoring and evaluation.

3. The Jurisdictional Party shall determine who will perform as the RXB for any given project. The Parties shall mutually agree on who will prepare the prescribed fire burn plan (burn plan). The burn plan must be reviewed and approved by the Jurisdictional Part prior to burn implementation. In addition, the RXB must be provided the opportunity to review the burn plan prior to burn implementation.

To the extent the Party preparing the burn plan authorizes another Party to use said plan, the authorization is explicitly limited to the terms and conditions set forth in the burn plan. In addition, use of the burn plan shall not be authorized if the preparer of the burn plan gives verbal or written indication that burning is not appropriate on any given day. Any use of the burn plan shall be at the user's own risk.

4. In the event of an escaped fire, the RXB shall declare the escape and notify local suppression authorities. The City will support local fire suppression agencies as requested based on skills and qualifications of available personnel.

5. A Chief of Party will be designated for the purpose of overseeing the Assisting Party's employees and equipment. The Chief of Party will work closely with the RXB or Incident Commander. If the Chief of Party determines that the proposed burn or wildfire suppression is unsafe or has serious concerns about the advisability of burning or engaging in specific wildfire suppression tactics, and is unable to reach a satisfactory agreement with the RXB or Incident Commander to rectify the situation, they retain the option of refusing the assignment. Individual crew members of the Assisting Party shall have the right to refuse assignments or directives during a burn that they deem to be unsafe. Such individuals will report their safety concern to the Chief of Party.

6. The Jurisdictional Party for the burn shall be responsible for consulting with local fire districts, air quality departments, and dispatch offices, for getting necessary permits, licenses, and authorizations (including but not limited to obtaining any necessary governmental burn permits, air quality permits, and other required authorizations) at its own expense, for obtaining access, and for serving as the principal point of contact with third parties. The Jurisdictional Party shall also be responsible for obtaining written permission to burn and waivers of liability from third party landowners.

7. Unless expressly agreed to in a written addendum to this MOU, each Party shall pay all salaries and benefits to its own employees and shall cover the costs of operation and maintenance of its own equipment, and there shall be no exchange of funds for the obligations described herein.

8. Personnel dispatched by the BLM or by the City shall meet the qualification standards of the NWCG for the positions they will occupy.

9. On behalf of itself, its officers, directors, members, employees, agents, and representatives, each Party agrees that it will be responsible for its own acts and omissions and the results thereof and that it shall not be responsible for the acts or omissions of the other Party, nor the results thereof. Each Party therefore agrees that it will assume the risk and liability to itself, its agents, employees, and volunteers for any injury to or death of persons or loss or destruction of property resulting in any manner from the conduct of the Party's own operations or the operations of its agents, employees, and/or volunteers under this MOU. Each Party further releases and waives all claims against the other Party for compensation for any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the performance of this MOU, including without limitation any loss, cost, damage, expense, personal injury, death, claim, or other liability arising out of the other Party's negligence, provided, however, that either Party may agree to voluntarily compensate the other for damage to equipment in accordance with paragraph 12 below.

10. Unless expressly provided by law, personnel or volunteers of one Party shall not be considered to be agents or employees of the other Party for any purpose, and no joint venture or principal-agent relationship shall be deemed to exist. The personnel and volunteers of one Party are not entitled to any of the benefits that the other Party provides for its employees or volunteers. Each Party will carry appropriate workers compensation coverage for its employees participating in the fire management activities under this MOU.

11. The Parties to this MOU appoint the following Project Officers for implementation:

BLM Project Officer

Nathan Curnutt

Fire Management Officer

575.627.0311

ncurnutt@blm.gov

City Project Officer

Kenneth Ahrens

Fire Chief

575.885.3125

ksahrens@cityofcarlsbadnm.com

12. In the event of injury to personnel or volunteers of any participating Party, the RXB or Incident Commander, as appropriate, shall provide or arrange for immediate medical treatment of any injuries incurred at the scene. Serious accident investigations (including but not limited to escaped prescribed fire and accidents involving hospitalization or fatalities) will be undertaken at the discretion of the Jurisdictional Party. The Assisting Party will cooperate in any such investigation. In the event that the Assisting Party's equipment is excessively damaged (i.e., in excess of \$1,000.00) or destroyed, an investigation will be conducted in accordance with the Jurisdictional Party's policy and procedures. The investigation will make a recommendation for

reimbursement, replacement or repair. The Project Officers shall communicate promptly regarding any injury to personnel or damage to equipment and documentation shall be provided as requested.

13. Nothing herein contained shall be construed as binding the BLM to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this MOU for that fiscal year or to involve the BLM in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations. Nothing contained herein shall be construed as binding the City to expend funds unless the City agrees to do so in an amendment to this MOU or in separate document.

14. REQUIRED CLAUSES:

a. During the performance of this MOU, the Parties agree to abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, color, religion, sex or national origin. The Parties will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex or national origin.

b. No member or delegate to Congress, or resident Commissioner shall be admitted to any share or part of this MOU, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this MOU if made with a corporation for its general benefit.

c. All activities pursuant to this MOU shall be in compliance with the requirement of Executive Order 11246, as amended: Title VI of the Civil Rights Act of 1964 (78 Stat. 252:42 US 200d); and with all other federal laws and regulations, prohibiting discrimination on grounds of race, color, national origin, handicap, religion, or sex in employment and in providing facilities and services to the public.

15. This MOU shall be effective from signature date by both Parties and, unless terminated earlier shall continue in effect until December 31, 2028. This MOU supersedes all prior or contemporaneous communications and negotiations, both oral and written and constitutes the entire agreement between the Parties relating to the work set out above. No amendment shall be effective except in writing signed by all Parties. Any Party may withdraw from this MOU thirty days following written notification to the other Party.

16. This MOU shall be interpreted, construed and governed by the laws of the State of New Mexico and such laws of the United States as may be applicable. In the event of any litigation over the interpretation or application of any of the terms or provisions of this MOU, the Parties agree that litigation shall be conducted in the State of New Mexico.

17. If any provision of this MOU is held invalid by a court of competent jurisdiction, the other provisions shall not be deemed invalid as a result, and the Parties shall revise this MOU as necessary consistent with the intent of the Parties.

18. This MOU may be executed in counterparts, each of which when executed shall be deemed to be an original and all of which when taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the Parties have executed this MOU, effective as of the last date written below,

James Stovall
Pecos District Manager
Bureau of Land Management

Richard Lopez
Mayor
City of Carlsbad

**City of Carlsbad
Personnel Department**

**Action Report
Month of January 2024**

City of Carlsbad
 Personnel Department Action Report
 Month of January 2024

EMPLOYEE REPORT	Beginning of Month	New Hires	Terminations	Transfers In	Transfers Out	End of Month
Full-Time Employees	424	5	8	3	1	423
Part-Time/Temp Employees	41	0	1	1	3	38
Total Employees	465	5	5	3	4	461
Administrative	19	0	0	3	1	20
Judicial	7	0	0	0	0	7
Finance	19	0	0	0	2	17
Police	100	3	1	0	0	101
Fire	66	0	3	0	0	64
Community Development	86	0	1	0	1	84
Planning & Regulation	14	1	1	0	0	14
Utilities	75	0	2	0	0	73
Transportation & Facilities	79	0	0	2	0	81
TOTAL	465	5	9	0	4	461

WEEKLY INDEMNITY	Beginning of Month	New Claims	Released To Work	Terminated	End of Month
Employees on WI	6	2	3	2	1

UNEMPLOYMENT CLAIMS	Claims Received	Claims Returned	Claims Denied	Claims Approved	Claims Pending	Claims Appealed
Current Month	1	1	0	0	0	0

DRUG TESTS	Number Given
Pre-employment	1
Probationary	0
Post Accident	0
Random	7
Periodic	0
Probable Cause	0

PHYSICAL EXAMINATIONS	Number Given
Pre-employment	0
Return to Work Evaluation	0
Functional Capacity Evaluation	0

TESTING	Number Given
None	

VACANCIES ADVERTISED	Applications Received
Account Clerk 1	Pending
Account Clerk 1, part-time	Pending
ARC Driver	6
Construction Maintenance	Pending
Director of Community Services	Pending
Director of Human Resources	Pending
Electrician	Pending
Heavy Equipment Operator	16
Library Page	Pending
Lubrication Technician	16
Master Mechanic	6
Patrolman	Pending
Transit Driver, on-call	Pending
Truck Driver	Pending
WW Operator	6

VACANCIES BID	Department
Account Clerk 1	Finance
Account Clerk 1, part-time	Finance
Construction Maintenance	Construction
Director of Community Services	Community Development
Director of Human Resources	Human Resources
Heavy Equipment Operator	Street
Transit Driver, part-time	Transit
WW Maintenance Supervisor	Collections
Water Maintenance Supervisor	Water
Welder	Garage

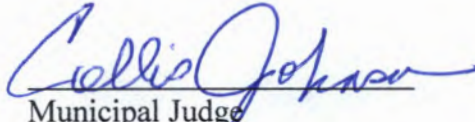
**CARLSBAD MUNICIPAL COURT
CITY OF CARLSBAD
January 2024**

Number of Cases	503
Warrants Outstanding	4463
Amount of Fines	\$ 61,818.00
Cases on Appeal	6

FINES

Summary for the Month of	January 2024
Total Fines	\$ 61,818.00
Total Prevention Fees	\$ 285.00
Total Lab Fees	\$ 111.00
Total Correction Fees	\$10,508.00
Total Automation Fees	\$ 3,167.00
Judicial Fees	\$ 1,558.00
Notary Fees	\$ 0.00
Victim Restitution	\$ 0.00
Restitution	\$ 00
TOTAL	\$ 77,447.00
TOTAL FINES WORKED OUT THROUGH COMMUNITY SERVICE	\$ 1,024.00

cc: Chief
City Administrator
Finance Department


Municipal Judge

*Restitution collected to reimburse court for Court Appointed Attorney, to be put back in the general fund.



CITY OF CARLSBAD

FY 2023 - 2024

DEPARTMENT OF UTILITIES

DECEMBER 2023

Ivan M. Abell, Director of Utilities

ENVIRONMENTAL SERVICES REPORT

DECEMBER 2023

Environmental Services:	Current Month	Previous Month	Calendar Year to Date
State and Federal Environmental Violations by City	0	0	0
Environmental Assessments (CDBG, P&Z, Drilling)	0	0	0
Environmental Compliance Inspections	0	0	0
Criminal Complaints Filed	0	0	0
Environmental Projects or Programs	0	0	2
Grease Interceptors Inspections	0	0	0

Laboratory:	Current Month	Previous Month	Calendar Year to Date
Municipal Water Sampling/Analysis:			
Wellfield Chemical Characteristic Analysis	40	40	515
Partial Wellfield Chemical Characteristics	0	31	365
Monitoring Wells Chemical Analysis	5	0	40
Total Coliform Analysis	40	40	480
Fecal Coliform Analysis	0	0	0
Chlorine Residual Tests (DE)	21	22	259
Special Chemicals (BTEX, Ammonia, Nitrite)	0	0	0

Municipal Wastewater Sampling/Analysis (Reads):	Current Month	Previous Month	Calendar Year to Date
Chemical Oxygen Demand Tests	0	0	0
Biochemical Oxygen Demand	12	12	156
Total Suspended Solids Tests	12	12	156
Volatile Alkalinity Tests	0	0	0
E-Coli on Effluent	12	12	156
Metals/TCLP/PCB/M2 Sampling on Sludge	0	0	0
Fecal Coliform Analysis on Sludge (Compost)	0	0	5
Effluent Chemical Characteristic Analysis	1	1	12

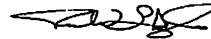
DMR Bench Sheet:	Current Month	Previous Month	Calendar Year to Date
Influent BOD Avg. (Lbs.)	7,131	7,339	79,203
Effluent BOD Avg. (Lbs.)	62.33	56	1,095
BOD Removal (%)	99.13	99	1,183
Influent TSS Avg. (Lbs.)	7,366	8,838	91,160
Effluent TSS Avg. (Lbs.)	97.74	91	946
TSS Removal (%)	98.67	99	1,186

ENVIRONMENTAL SERVICES REPORT DECEMBER 2023

Private Well Analysis:	Current Month	Previous Month	Calendar Year to Date
Total Coliform Analysis	47	51	487
Total Coliform Analysis (Construction)	4	6	18
Number of Positives for Confirmation	0	2	22
Chemical Characteristics Analysis	0	2	4
Environment Department Mediated Tests	0	0	0
Lake Carlsbad E-Coli Analysis Performed	0	0	95
Lake Carlsbad Beach Closures Due to Bacterial Count	0	0	0

Golf Course (Reclaimed) Water Analysis (NMED Groundwater Discharge Permit):	Current Month	Previous Month	Calendar Year to Date
Nitrate	4	5	52
Total Kjeldahl Nitrogen	0	0	0
Total Dissolved Solids	1	1	12
E-Coli Analysis	12	12	151
Chemical Characteristics	0	0	0
Other NMED-Required Testing (Chlorides, etc.)	1	1	12

Remarks:



Digitally signed by Richard Aguilar
 DN: cn=Richard Aguilar, o=City of Carlsbad,
 ou=Env Services Lab,
 email=raguilar@cityofcarlsbadnm.com, c=US
 Date: 2024.01.09 08:35:22 -0700

**Richard Aguilar,
Environmental Svcs. Superintendent**

Solid Waste Department Summary

December 2023

This Month **Previous Month** **Last Year** **Calendar Year to Date**

Garbage Collection (ARC)

Number of ARC Trucks in Operation	16 Of 18	16 Of 25	16 of 18	
Tons Collected and Delivered to Landfill	2,050.76	2,157.20	1802.28	25,933.18
Number of Trips to Landfill	296	284	296	3592

Residential and Commercial Services

Number of Residential Services	10,110	10,087	10110	
Number of Commercial Services	992	991	992	
Number of New Residential Services	16	10	16	89
Number of New Commercial Services	3	3	3	69

*No data available

Container Maintenance

Number of 3 CuYard Containers Repaired	18	43	204	356
Number of 3 CuYard Containers Replaced	11	5	19	82
Number of 1.5 CuYard Containers Repaired	0	0	2	2
Number of 1.5 CuYard Containers Replaced	0	0	3	2
Number of 96 gallon Containers Repaired	131	115	249	1,192
Number of 96 gallon Containers Replaced	17	36	130	366
Number of 96 gallon Lids Replaced	18	25	124	368
Number of 96 gallon Wheels Replaced	113	87	125	821
Number of 1.5 CuYard Lids Repaired	0	0	1	4
Number of 3 CuYard Lids Repaired	6	7	86	52
Number of New 96 Gallon Roll-outs	80	46	128	126

Trash/Yard Waste Residential Collection (Grappler)

Number of Trucks in Operation	5 of 7	4 Of 7	4 of 5	
Tons of Trash Delivered to Landfill	165.00	202.30	265.91	2,161.77
Number of Trips to Landfill	64	77	46	745
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0.00	0	0.00
Number of trips to WWTP	0	0	0	0

Solid Waste Department Summary

December 2023

This Month Previous Month Last Year Calendar
Year to Date

Sandpoint Landfill Operation

Waste Received from Carlsbad (Tons)	3,717.51	4,079.81	3,563.13	52,943.30
Waste Received from Artesia (Tons)	1,792.25	1,907.61	1,827.42	25,623.33
Waste Received from Eddy County (Tons)	3,301.76	3,391.75	2,552.09	41,907.06
Waste Received from Others (Tons)	69.93	95.35	18.09	1,425.51
Tipping Fees received at Gate	\$5,036.30	\$3,644.66	4,128.97	\$67,451.59
Tipping fees Billed	\$86,173.58	\$95,512.02	87,655.58	\$1,335,139.48
Solid Waste Facility Permit Violations	0	0	0.00	0

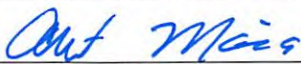
Convenience Station

Tons of Trash Collected and Delivered to Landfill	454.77	488.79	510.67	5,916.35
CuYards of Glass	0.00	0.00	0.00	0.00
Tons of Metal	6.79	9.36	6.79	167.03
Green Waste Collected and Delivered to WWTP (TONS)	0.00	0.00	0.00	0.00
Number of trips to WWTP	0	0	0.00	0

Roll Off Rentals

Fees Billed	\$34,564.00	\$46,091.00	30,899.49	\$421,464.83
Tons of Refuse Collected and Delivered to Landfill	196.68	270.37	196.98	2,811.93
No. of 40 CuYard Containers Rented	0	0.00	0.00	5.00
No. of 30 CuYard Containers Rented	48	55.00	43.00	640.00
No. of 25 CuYard Containers Rented	0	0.00	2.00	0.00
No. of 15 CuYard Containers Rented	0	0.00	0.00	1.00

REMARKS: *No data available



 Albert Moisa, Solid Waste Superintendent
 1-9-2024

 Date

Carlsbad Municipal Water System Report

Dec-23

Acre Ft.

Production Figures:

This Month Previous Month Year to Date

Pumped from Sheep's Draw (Ac. Ft.)	470.52	486.28	8802.65
Water Imported from Double Eagle (Ac. Ft.)	15.98	15.45	596.53
Water delivered to Livestock (Ac. Ft.)	0.01	0.01	3.88
Water Sold to Apartments (Ac. Ft.)	10.02	12.73	160.21
Water Sold to Commercial Accounts (Ac. Ft.)	102.43	110.66	2060.82
Water Sold to Government Accounts (Ac. Ft.)	12.92	21.26	519.03
Water Sold to Industrial Accounts (Ac.Ft.)	0.06	0.08	1.31
Water Sold to Residential Accounts (Ac.Ft.)	232.62	295.77	5697.77
Record Only Accounts (Ac.Ft.)	0.63	0.85	16.91
Water Sold to Semi-Commercial Accounts (Ac.Ft.)	10.08	10.94	190.21
Safe Drinking Water Act Violations	0	0	0

Wells:

Number in Operation (Sheep's Draw) **	9/9	9/9	
KWH Consumed	396,080	389,440	7,071,560
Capitan Aquifer Level (Ft. from Surface @ #6)	390.00	390.00	
Number of New Water Services Installed	14	14	137

Meters:

Total in Service	12,815	12,773	
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Fire Hydrants:

In Service	879	879	
Out of Service	0	0	
Repaired	0	0	14

Remarks:


Digitally signed by Ron Myers
 DN: cn=Ron Myers, o=City of Carlsbad,
 ou=Water Department, email=rm@carlsbadwater.com, c=US
 Reason: I have reviewed this document
 Date: 2024.01.07 23:18:37 -0700
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Ron Myers, Superintendent

**CARLSBAD WATER SYSTEM WELL OPERATION
Dec-23**

WELL	POWER CONSUMPTION X 400			WATER PRODUCTION X 1000				ENGINE HOUR CLOCK			WATER LEVELS			
	CURRENT MONTH	LAST MONTH	KWH CONSUMED	CURRENT MONTH	LAST MONTH	GALLONS PUMPED	ACRE FEET	CURRENT MONTH	LAST MONTH	HOURS RUN	GPM	STATIC	PUMPED per Hour Meter (gal)	gal/kwh
1	6266	6265	400	75,256	75,139	117,000	0.36	772.1	770.8	1.3	1,750		136,500	525
2	2402	2401	400	37,259	37,208	51,000	0.16	12521.9	12520.7	1.2	1,200		86,400	420
3	6673	6671	800	614,683	614,449	234,000	0.72	39547.6	39545	2.6	1,600		249,600	375
4	23580	23430	60,000	881,748	858,589	23,159,000	71.07	54707.6	54485.1	222.5	1,750		23,362,500	257
5	22441	22250	76,400	1,626,549	1,593,450	33,099,000	101.58	65914.1	65651.9	262.2	1,200		18,878,400	348
6	41084	41041	6,880	1,213,323	1,213,139	184,000	0.56		0	1.9	2,800	390.0	319,200	421
7	38755	38583	68,800	954,583	925,679	28,904,000	88.70	8787.6	8536	251.6	1,950		29,437,200	424
8	36023	35973	20,000	688,418	680,501	7,917,000	24.30	16411.8	16316.6	95.2	1,350		7,711,200	389
9	13779	13373	162,400	744,728	685,074	59,654,000	183.07		0	575.7	1,600		55,267,200	324
10												401.40		
TOTAL KWH CONSUMED			396,080	TOTAL PUMPED		153,319,000	470.52	TOTAL HOURS RUN		1,414.2	OIL		TOTAL CHLORINE USED	
											16		929	
Reservoir No. 4 Meter			Total Gallons Pumped Comparison				Total Rainfall			Notes				
Inlet This Month X 1000		5,787,128		THIS MONTH		153,319,000	470.52	0.1			Wells #4 and #5 on State Trust Land			
				LAST YEAR, SAME MONTH		142,021,000	435.85							
Inlet Last Month X 1000		5,635,350		DIFFERENCE		11,298,000	34.67							
Total Inlet		151,778,000		* corrected										

**MUNICIPAL WATER SYSTEM
WATER RIGHTS PUMPED (C-76)
ACRE FEET**

(9867 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7849.57
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8970.67
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7875.48
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8209.69
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8307.14
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7726.33
2008	452.24	668.55	705.92	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9631.81
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9199.13
2010	422.56	352.26	539.69	327.39	1,150.19	1,219.15	848.31	1,057.28	738.68	677.68	503.09	461.84	8298.12
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10689.18
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8738.72
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79
2015	428.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,713.31
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27
2019	392.03	408.30	501.88	712.74	920.31	919.36	931.82	860.57	880.60	570.04	425.02	400.18	7,922.85
2020	424.96	402.62	508.41	896.76	983.81	1,161.49	1,242.85	1,055.78	1,045.26	625.06	411.27	463.48	9,221.75
2021	368.52	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.54
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99
2023	330.74	313.20	484.97	823.91	916.36	1,079.94	1,232.41	1,223.34	819.91	621.07	486.28	470.52	8,802.65

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Difference
1999	259.97	275.11	485.12	694.64	798.54	839.80	903.86	1,102.11	751.40	534.43	395.59	253.70	7,294.27	9867
Total		535.08	1,020.20	1,714.84	2,513.38	3,353.18	4,257.04	5,359.15	6,110.55	6,644.98	7,040.57	7,294.27		2,572.73
2000	303.85	377.05	592.71	710.82	1,063.12	1,168.66	1,072.41	1,134.64	886.90	487.13	260.33	278.46	8,336.08	1,530.92
Total		680.90	1,273.61	1,984.43	3,047.55	4,216.21	5,288.62	6,423.26	7,310.16	7,797.29	8,057.62	8,336.08		1,505.16
2001	379.10	340.60	389.50	714.80	1,129.68	1,083.53	1,341.71	1,074.96	612.54	662.35	356.80	276.27	8,361.84	1,505.16
Total		719.70	1,109.20	1,824.00	2,953.68	4,037.21	5,378.92	6,453.88	7,066.42	7,728.77	8,085.57	8,361.84		2,017.43
2002	297.16	268.70	440.91	704.96	958.06	1,066.88	1,341.56	1,074.79	774.52	485.05	280.99	155.99	7,849.57	2,017.43
Total		565.86	1,006.77	1,711.73	2,669.79	3,736.67	5,078.23	6,153.02	6,927.54	7,412.59	7,693.58	7,849.57		896.33
2003	270.84	203.99	505.94	1,064.03	1,206.94	1,122.78	1,343.98	1,076.39	775.41	685.53	305.27	409.57	8,970.67	896.33
Total		474.83	980.77	2,044.80	3,251.74	4,374.52	5,718.50	6,794.89	7,570.30	8,255.83	8,561.10	8,970.67		1,991.52
2004	385.42	439.36	489.06	680.19	948.71	1,063.84	1,068.05	798.52	772.40	451.14	364.15	414.64	7,875.48	1,991.52
Total		824.78	1,313.84	1,994.03	2,942.74	4,006.58	5,074.63	5,873.15	6,645.55	7,096.69	7,460.84	7,875.48		1,657.31
2005	332.30	318.24	425.71	655.91	878.61	1,123.12	1,338.81	773.36	830.12	609.54	478.07	445.90	8,209.69	1,657.31
Total		650.54	1,076.25	1,732.16	2,610.77	3,733.89	5,072.70	5,846.06	6,676.18	7,285.72	7,763.79	8,209.69		1,559.86
2006	395.24	416.50	606.61	799.07	1,145.49	1,165.26	1,141.96	699.68	536.40	574.84	453.79	372.30	8,307.14	1,559.86
Total		811.74	1,418.35	2,217.42	3,362.91	4,528.17	5,670.13	6,369.81	6,906.21	7,481.05	7,934.84	8,307.14		2,140.67
2007	386.96	350.66	480.44	665.57	629.51	1,062.65	841.31	964.52	740.42	672.37	485.02	446.90	7,726.33	2,140.67
Total		737.62	1,218.06	1,883.63	2,513.14	3,575.79	4,417.10	5,381.62	6,122.04	6,794.41	7,279.43	7,726.33		235.20
2008	452.24	668.55	705.91	934.92	1,060.06	1,454.74	1,040.96	900.29	768.43	684.45	505.09	456.16	9,631.80	235.20
Total		1,120.79	1,826.70	2,761.62	3,821.68	5,276.42	6,317.38	7,217.67	7,986.10	8,670.55	9,175.64	9,631.80		667.87
2009	458.70	519.36	694.55	871.85	1,095.02	1,202.19	951.06	980.82	809.14	666.16	529.67	420.61	9,199.13	667.87
Total		978.06	1,672.61	2,544.46	3,639.48	4,841.67	5,792.73	6,773.55	7,582.69	8,248.85	8,778.52	9,199.13		

Sheep Draw Water Pumped - Acre Feet 9867 Acre Feet Available Per Year

Difference

	January	February	March	April	May	June	July	August	September	October	November	December	Total	
														9,867.00
2011	474.73	536.44	800.88	973.90	1,238.89	1,355.98	1,423.54	1,226.62	886.11	776.71	540.43	454.95	10,689.18	-822.18
Total		1,011.17	1,812.05	2,785.95	4,024.84	5,380.82	6,804.36	8,030.98	8,917.09	9,693.80	10,234.23	10,689.18		
2012	466.85	431.44	701.69	810.10	828.11	1,185.27	901.47	1,013.28	806.85	652.17	480.34	461.15	8,738.72	1,128.28
Total		898.29	1,599.98	2,410.08	3,238.19	4,423.46	5,324.93	6,338.21	7,145.06	7,797.23	8,277.57	8,738.72		
2013	423.91	412.36	633.53	822.91	947.12	1,047.09	800.86	925.05	727.29	611.46	451.84	377.93	8,181.35	1,685.65
Total		836.27	1,469.80	2,292.71	3,239.83	4,286.92	5,087.78	6,012.83	6,740.12	7,351.58	7,803.42	8,181.35		
2014	388.31	383.82	557.69	701.51	872.84	1,031.98	1,122.07	893.82	552.90	541.69	414.16	391.00	7,851.79	2,015.21
Total		772.13	1,329.82	2,031.33	2,904.17	3,936.15	5,058.22	5,952.04	6,504.94	7,046.63	7,460.79	7,851.79		
2015	482.54	369.38	490.96	711.13	732.60	903.17	919.01	994.43	789.98	522.56	432.59	418.96	7,767.31	2,099.69
Total		851.92	1,342.88	2,054.01	2,786.61	3,689.78	4,608.79	5,603.22	6,393.20	6,915.76	7,348.35	7,767.31		
2016	408.24	364.58	449.03	573.56	672.93	921.77	1,157.49	791.59	541.42	587.72	443.39	442.94	7,354.66	2,512.34
Total		772.82	1,221.85	1,795.41	2,468.34	3,390.11	4,547.60	5,339.19	5,880.61	6,468.33	6,911.72	7,354.66		
2017	394.41	415.24	615.73	768.14	921.14	883.20	1,007.00	726.66	715.10	536.59	482.95	484.39	7,950.55	1,916.45
Total		809.65	1,425.38	2,193.52	3,114.66	3,997.86	5,004.86	5,731.52	6,446.62	6,983.21	7,466.16	7,950.55		
2018	484.78	402.92	640.20	750.65	991.56	1,023.15	954.69	853.04	684.90	530.89	386.73	404.76	8,108.27	1,758.73
Total		887.70	1,527.90	2,278.55	3,270.11	4,293.26	5,247.95	6,100.99	6,785.89	7,316.78	7,703.51	8,108.27		
2019	392.03	408.30	501.88	712.74	920.31	919.37	931.82	860.57	880.60	570.04	425.02	400.18	7,922.86	1,944.14
Total		800.33	1,302.21	2,014.95	2,935.26	3,854.63	4,786.45	5,647.02	6,527.62	7,097.66	7,522.68	7,922.86		
2020	438.73	387.20	523.69	928.40	1,015.17	1,177.81	1,120.57	1,062.19	1,066.47	539.88	430.40	463.48	9,153.99	713.01
Total		825.93	1,349.62	2,278.02	3,293.19	4,471.00	5,591.57	6,653.76	7,720.23	8,260.11	8,690.51	9,153.99		
2021	368.01	418.64	712.43	726.13	809.60	837.98	793.40	764.24	715.36	652.05	455.84	403.35	7,657.03	2,209.97
Total		786.65	1,499.08	2,225.21	3,034.81	3,872.79	4,666.19	5,430.43	6,145.79	6,797.84	7,253.68	7,657.03		
2022	336.78	376.58	515.94	882.91	973.98	975.97	1,147.87	848.51	773.62	493.31	404.67	435.85	8,165.99	1,701.01
Total		713.36	1,229.30	2,112.21	3,086.19	4,062.16	5,210.03	6,058.54	6,832.16	7,325.47	7,730.14	8,165.99		
2023	330.74	313.20	484.97	823.91	916.36	1,079.94	1,232.41	1,223.34	819.91	621.07	486.28	470.52	8,802.65	1,064.35
Total		643.94	1,128.91	1,952.82	2,869.18	3,949.12	5,181.53	6,404.87	7,224.78	7,845.85	8,332.13	8,802.65		

**MUNICIPAL WATER SYSTEM
WATER SOLD
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2002	361.07	373.67	374.24	527.03	956.91	1164.77	996.81	977.93	1153.18	607.92	431.21	301.17	8225.93
2003	391.07	304.91	404.05	598.44	999.69	1030.55	1061.59	1169.02	1046.52	731.67	559.33	342.90	8639.75
2004	418.82	310.23	337.47	479.72	685.58	983.31	984.35	814.65	763.90	475.02	413.97	302.17	6969.19
2005	368.27	275.02	299.95	503.81	693.61	840.97	1296.63	886.95	754.89	658.48	468.42	377.74	7424.74
2006	414.11	677.07	450.26	678.99	725.58	1280.61	1083.09	705.47	564.79	572.49	430.08	334.08	7916.62
2007	354.13	318.22	380.07	437.50	653.63	756.31	899.69	774.47	896.99	541.76	530.36	344.60	6887.72
2008	326.32	375.13	413.71	627.22	842.55	1025.43	943.54	855.66	605.32	559.79	494.03	0.00	7068.68
2009	439.03	352.25	614.56	2321.13	1268.55	1211.80	1099.85	927.66	1030.30	765.46	976.92	564.86	11572.39
2010	567.77	471.98	547.89	757.41	1272.59	1066.67	1081.09	913.03	1105.63	1031.30	950.35	786.38	10552.09
2011	444.27	760.40	774.56	1233.94	1338.54	1352.52	1717.55	1405.40	1347.32	924.66	874.25	677.51	12850.91
2012	565.38	642.97	581.75	926.04	848.01	1000.31	1440.24	1151.94	1237.78	866.01	865.02	670.56	10796.01
2013	616.99	671.05	645.27	975.32	1,049.04	1,249.35	944.16	951.65	1,058.15	785.76	592.98	469.93	10009.65
2014	475.55	470.88	507.96	653.04	920.21	1,041.43	1,157.15	978.54	953.20	558.14	550.55	417.07	8683.72
2015	554.03	282.77	520.21	624.18	758.14	800.23	985.58	863.21	1,068.91	639.91	478.42	448.68	8024.27
2016	456.11	302.09	482.13	615.67	708.66	828.42	1,071.60	820.33	623.25	460.13	368.12	305.64	7042.15
2017	389.78	306.60	440.10	639.30	654.47	838.50	1,049.46	698.97	675.47	504.34	369.98	684.50	7251.47
2018	422.34	332.74	345.80	670.09	971.05	975.33	966.38	858.30	871.28	451.67	438.60	355.77	7659.35
2019	393.08	359.27	350.49	565.35	639.70	890.80	994.24	830.84	887.72	711.06	476.89	347.64	7447.08
2020	336.09	374.53	311.89	657.80	838.33	1,080.68	1,158.21	1,069.16	1,120.70	917.05	479.84	350.70	8694.98
2021	414.83	317.62	365.17	767.91	768.47	825.78	709.15	954.68	597.34	740.70	354.75	355.25	7171.65
2022	367.25	360.67	349.75	693.40	752.88	1,174.27	944.39	940.34	746.92	652.02	422.08	417.17	7821.14
2023	415.22	425.35	388.23	673.31	718.62	934.58	1,252.39	1,033.06	956.03	1,031.98	452.53	368.91	8650.21

* No info available due to transition of new billing system.

MUNICIPAL WATER SYSTEM METERS IN SERVICE

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2002	10,385	10,398	10,360	10,396	10,485	10,486	10,492	10,479	10,512	10,468	10,448	10,534
2003	10,453	10,420	10,550	10,505	10,549	10,682	10,604	10,670	10,688	10,631	10,586	10,606
2004	10,608	10,541	10,617	10,624	10,627	10,678	10,700	10,730	10,671	10,672	10,684	10,597
2005	10,581	10,552	10,635	10,618	10,645	10,733	10,757	10,747	10,725	10,695	10,692	10,669
2006	10,676	10,669	10,663	10,704	10,687	10,759	10,720	10,746	10,739	10,711	10,670	10,645
2007	10,633	10,661	10,679	10,717	10,726	10,814	10,801	10,786	10,740	10,735	10,761	10,753
2008	10,804	10,784	10,809	10,826	10,836	10,880	10,861	10,875	10,820	10,758	10,713	
2009	10,747	10,881	11,126	11,179	11,156	11,232	11,160	11,184	11,158	11,169	11,182	11,107
2010	11,132	11,105	11,201	11,157	11,208	11,221	11,216	11,225	11,201	11,205	11,184	11,165
2011	11,271	11,292	11,256	11,270	11,281	11,349	11,331	11,333	11,327	11,300	11,267	11,224
2012	11,249	11,229	11,277	11,305	11,333	11,353	11,368	11,370	11,319	11,332	11,344	11,321
2013	11,290	11,361	11,415	11,405	11,412	11,450	11,488	11,527	11,507	11,478	11,482	11,442
2014	11,501	11,709	11,803	11,807	11,848	11,893	11,919	11,988	12,001	12,022	11,892	11,993
2015	11,865	11,871	11,916	12,014	11,957	12,153	12,062	12,087	12,020	11,968	11,825	11,978
2016	11,854	12,116	12,166	12,125	12,143	12,224	12,170	12,219	12,162	12,076	11,979	11,948
2017	12,053	12,014	12,173	12,213	12,173	12,223	12,205	12,376	12,213	12,300	12,204	12,288
2018	12,315	12,307	12,329	12,384	12,452	12,531	12,472	12,479	12,467	12,408	12,577	12,352
2019	12,440	12,386	12,556	12,508	12,653	12,656	12,698	12,827	12,644	12,804	12,708	12,653
2020	12,769	12,731	12,859	12,827	12,844	12,926	12,912	13,057	12,996	13,265	12,812	12,799
2021	12,830	12,920	12,945	13,205	13,026	13,162	*	*	*	*	*	*
2022	*	*	*	*	*	*	*	*	*	*	*	12,980
2023	12,572	12,604	12,610	12,646	12,627	12,676	12,706	12,717	12,723	12,736	12,773	12,815

* No info available due to transition of new billing system.

**AIRPORT WELLS
WATER RIGHTS PUMPED
ACRE FEET**

(61.24 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012	0.59	0.62	1.08	0.83	1.83	3.64	2.31	3.67	2.27	2.01	1.67	1.87	22.41
2013	0.89	2.32	2.26	1.18	1.28	1.73	1.9	3.69	2.01	2.62	1.99	1.06	22.93
2014	1.86	0.73	1.04	1.55	0.66	0.20	3.17	0.96	0.37	1.89	0.80	0.61	13.84
2015	0.03	0.07	0.03	1.02	1.59	2.47	2.57	2.96	2.13	1.35	2.46	1.57	18.25
2016	1.14	2.21	3.25	3.48	2.43	1.45	0.064	0.031	0.002	0.016	0.00	0.058	14.13
2017	0.07	0	0.16	0.31	0	0.51	0.55	0.022	0.00	0	0.18	0.14	1.94
2018	0.00	0.07	0.06	0.082	0.303	0.00	0.002	0.002	0.002	0.002	0.001	0.002	0.53
2019	0.00	0.023	0.36	0.56	1.17	2.72	2.13	2.67	2.60	2.60	1.33	1.99	18.15
2020	0.48	1.04	0.49	1.47	0.61	1.37	0	0.99	1.55	2.03	0.46	0.35	10.84
2021	0.77	0.34	0.45	0.71	0.94	2.01	1	1.56	0.92	0.83	1.21	0.61	11.35
2022	0.89	0.62	0.95	0.27	0.21	0.33	0.9	0.08	0.12	0.01	0.03	0	4.41
2023	0.00	0.00	0.00	0.40	0.52	3.75	3.61	1.76	0.09	0.08	0.00	0.00	10.21

**AIRPORT WELLS
WATER SOLD
ACRE FEET**

2011	1.18	1.09	3.76	3.87	3.32	3.91	3.32	1.69	3.5	3.25	3.99	0.81	33.69
2012	2.36	2.65	3.77	3.84	1.27	3.02	2.66	4.22	2.62	2.3	2.65	1.28	32.64
2013	1.32	1.11	0.88	0.49	0.64	1.67	1.78	2.70	1.22	0.97	1.20	0.95	14.93
2014	1.15	0.05	1.51	0.82	0.07	0	0.44	0.27	0.01	0.02	0.01	0.01	4.36
2015	0.01	0	0	0	0	1.04	1.78	3.12	1.12	1.60	2.07	1.25	11.99
2016	1.4	2.14	2.86	3.35	2.18	1.22	0.04	0.03	0	0.02	0	0	13.235
2017	0	0	0.15	0	0	0.48	0.53	0.00	0	0.00	0.00	0	1.16
2018	0	0	0	0	0	0	0	0.00	0	0.00	0.00	0	0
2019	0	0	0.33	0.052	0	0.031	0.031	0.00	0.37	0.29	0.51	0.08	1.694
2020	0.04	6.27	0.38	1.21	0.58	1.17	0.31	0.00	1.5	1.75	0.40	0.29	13.9
2021	0.84	0.17	0.42	0.73	0.92	1.9	1.36	1.26	1.17	0.64	0.95	0.79	11.15
2022	+	+	+	+	+	+	+	+	+	+	+	+	0
2023	0	0	0	0	0.73	0.55	1.35	3.70	0.95	0.15	0.00	0.00	7.43

Note: Water Sold Report is always one month behind.

*no info available

WATER CUTOFFS

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2012		227	231	299	198	270	216	274	219	504	293	408	3139
2013	260	309	321	438	267	362	267	315	236	254	362	291	3682
2014	343	360	433	239	353	185	363	399	288	373	484	307	4127
2015	397	254	252	355	256	273	299	303	266	307		535	3497
2016	414	440	298	297	360	239	345	163	177	212	240	172	3357
2017	268	210	265	279	158	231	170	195	166	228	221	177	2568
2018	241	301	120	139	235	153	227	152	206	216	368	199	2557
2019	257	270	334	143	238	147	222	251	235	256	341	217	2911
2020	172	172	235	0	0	0	0	0	0	643	0	0	1222
2021	0	0	0	428	341	255	0	0	0	0	0	0	1024
2022	0	0	797	324	394	345	457	285	276	0	0	0	2878
2023	506	275	291	318	305	277	319	232	223	248	0	0	2994

**SHOOTING RANGE WELL
WATER RIGHTS PUMPED
ACRE FEET**

(3 Acre Ft. Available Per Year)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2013	0.05	0.03	0.12	0.16	0.18	0.28	0.21	0.32	0.16	0.20	0.08	0.05	1.84
2014	0.07	0.10	0.16	0.10	0.13	0.29	0.34	0.31	0.17	0.18	0.11	0.10	2.06
2015	0.08	0.07	0.12	0.12	0.11	0.12	0.12	0.26	0.21	0.12	0.08	0.09	1.50
2016	0.07	0.08	0.10	0.07	0.10	0.22	0.16	0.09	0.04	0.04	0.037	0.031	1.04
2017	0.009	0.01	0.03	0.02	0.04	0.10	0.04	0.055	0.046	0.05	0.03	0.034	0.47
2018	0.04	0.02	0.04	0.02	0.02	0.03	0.02	0.03	0.025	0.025	0.034	0.058	0.37
2019	0.061	0.05	0.06	0.05	0.03	0.03	0.01	0.02	0.02	0.02	0.086	0.080	0.51
2020	0.003	0.00	0	0	0.00	0.00	0.05	0.06	0.06	0.043	0.043	0.000	0.26
2021	0	0	0	0	0.00	0.03	0.02	0.02	0.09	0.03	0.02	0.04	0.25
2022	0.01	0.01	0.02	0.02	0.02	0.01	0.2	0.01	0.02	0.02	0.02	0.02	0.38
2023	0.01	0.02	0.02	0.02	0.06	0.02	0.02	0.02	0.02	0.02	0.01	0.01	0.25

**SUNSET GARDEN WELL
WATER RIGHTS PUMPED
ACRE FEET**

(28.2 Acre Ft. Available Per Year)

2012											10.75	0	10.75
2013	0.00	0.00	0.00	1.51	4.53	4.47	2.98	5.09	1.73	0.51	0.00	0.00	20.82
2014	0.00	0.00	0.00	0.00	0.00	0.00	6.81	2.58	0.53	0.00	0.00	0.00	9.92
2015	0.00	0.00	0.07	2.68	2.84	1.93	1.13	2.72	4.71	1.47	2.17	0.26	19.98
2016	0.13	1.89	3.37	4.30	4.49	4.11	4.66	0.82	0.00	0.00	0.00	0.00	23.77
2017	0.00	0.00	2.60	3.92	3.87	3.63	4.18	2.97	0.33	0.00	0.00	1.38	22.88
2018	0.00	0.07	0.00	1.48	3.53	3.74	1.57	3.46	2.79	1.00	0.00	0.00	17.64
2019	0.00	0.00	0.04	2.56	4.36	4.57	2.72	4.60	3.06	1.04	0.28	0.00	23.23
2020	0.13	0.55	1.06	2.53	3.77	1.58	3.97	3.97	3.81	2.46	0.78	0.29	24.90
2021	0.0045	0.00	1.06	2.23	3.09	3.29	3.36	2.23	2.60	1.07	1.49	1.41	21.84
2022	0.03	0.00	0.31	1.88	3.20	3.74	3.45	2.60	2.30	0.64	0.47	0.70	19.32
2023	0.00	0.02	0.73	2.40	3.43	3.49	0.83	3.03	2.09	0.81	0.00	0.00	16.83

WOOD FARM WELLS

1,000,000 325850

*1,000,000 /325850 Formula do not delete

2011	0.08	0.90	11.80	9.78	22.64	22.54	18.60	19.88	37.60	8.30	2.20	0.02	154.34
2012	0.00	4.81	9.11	11.16	11.79	18.76	10.00	11.69	15.24	1.89	0.05	0.64	95.13
2013	0.35	0.61	7.29	12.51	16.04	16.64	10.62	16.57	8.61	4.90	2.34	0.27	96.75
2014	1.36	1.79	6.64	10.62	16.04	22.07	21.01	13.50	3.31	4.42	0.12	0.25	101.13
2015	0.29	1.31	4.58	13.01	37.20	2.17	11.54	20.96	8.74	1.62	0.44	0.55	102.41
2016	0.27	2.67	14.42	13.03	22.09	30.57	33.17	15.94	8.18	15.31	1.38	1.44	158.47
2017	1.62	0.93	11.50	17.68	24.58	29.33	29.59	11.05	14.91	8.18	1.56	1.43	152.36
2018	5.02	3.40	12.61	15.47	26.22	28.31	27.69	24.12	34.65	5.79	11.50	1.96	196.74
2019	4.11	2.42	0.01	14.42	49.65	0.70	25.05	21.72	26.74	13.96	7.00	7.03	172.81
2020	1.14	3.17	12.31	28.72	29.58	30.38	32.01	27.83	27.48	11.13	10.67	5.49	219.91
2021	6.43	4.67	13.65	12.36	10.29	18.34	18.00	12.59	17.68	14.25	9.66	0.00	137.92
2022	1.30	2.77	10.51	18.12	17.91	21.45	25.31	19.20	11.97	11.94	10.19	5.43	156.10
2023	10.89	6.93	13.21	15.06	19.29	27.86	35.38	30.59	17.55	10.27	5.52	34.34	226.89

Double Eagle Well Operation Dec-23

Well	Status	Water Production				Power Consumption			Motor Hours			Well Information		
		Present Read	Previous Read	Water Pumped		Present Read	Previous Read	KWH	Current	Previous	Hours Run	Avg GPM	Static Water Elevation	Pumping Elevation
				Gallons	Acre Ft.									
AMBASSADOR # 1	Neptune/ Trident												off	
AMBASSADOR # 4	Well Inoperable													
AMBASSADOR # 3	Well Inoperable					8,307	8,107	200					off	
C-11	McCrometer	48,211,540	47,057,468	1,154,072	3.54	168,857	165,032	3,825						
C-10	McCrometer	44,318,673	43,625,813	692,860	2.13	206,390	202,945	3,445						
C-6	Mc Crometer	53,615,073	52,389,151	1,225,922	3.76	561,549	558,317	3,232	22,122.0	22,014.5	107.5	140		
CAPROCK # 19	Mc Crometer Mag	34,452,932	34,281,545	171,387	0.53	32,829	32,349	480	16,682.0	16,557.7	124.3	25		
CAPROCK # 13	Mc Crometer	117,730,643	111,330,674	6,399,969	19.64	248,159	236,416	11,743	23,226.0	22,513.7	712.3	140		
C-9	McCrometer	39,871,106	39,220,035	651,071	2.00	157,074	155,009	2,065		0.0				
CAPROCK # 20	Sensus/ Omni	102,051,654	102,051,628	26	0.00	229,027	228,940	87	12,277.1	12,277.1	0	150		
CAPROCK # 10	Mc Crometer	2,196,397	2,196,397	0	0.00	121,248	121,159	89	342.7	342.7	0	90		
C-8	McCrometer	50,085,243	49,402,619	682,624	2.09	147,752	145,307	2,445		0.0				
C-7	McCrometer	28,874,077	28,537,645	336,432	1.03	106,217	105,064	1,153		0.0				
CAPROCK # 18	Sensus/ Omni	3,305,750	1,562,626	1,743,124	5.35	58,863	55,183	3,680	12,441.2	12,164.5	276.7	90		
CAPROCK # 6	Neptune/ Trident	144,149,006	144,136,012	12,994	0.04	84,880	84,740	140	29,180.0	29,178.7	1.3	105		
CAPROCK # 4	McCrometer	39,189,644	38,153,898	1,035,746	3.18	64,077	61,021	3,056	16,630.6	16,218.0	412.6	45		
CAPROCK # 1	Mc Crometer	39,777,237	39,386,329	390,908	1.20	151,281	150,108	1,173	19,841.0	19,654.8	186.2	30		
Frontier # 2	Mc Crometer	44,990,397	44,758,986	231,411	0.71	11,678	9,670	2,008	19,312.8	19,217.3	95.5	30		
Frontier # 1	Sensus/ Omni	146	0	146	0.00	1,804	1,738	66	27,273.7	27,273.7	0	50		
FRONTIER # 3	Mc Crometer	191	191	0	0.00	108	54	54	14,863.2	14,863.2	0	140		
C-2	Mc Crometer	18,559,592	18,379,419	180,173	0.55	38,042	37,598	444	35.4	21.4	14	160		
HUDSON # 1	Octave	22,664,947	22,664,947	0	0.00	247,629	247,546	83	11,712.6	11,712.6	0	130		
CAPROCK # 14	Mc Crometer	69,558,518	64,175,491	5,383,027	16.52	74,513	62,239	12,274	11,191.4	10,519.7	671.7	110		
CAPROCK # 15A	Mc Crometer	1,120	1,067	53	0.00	2,343	2,250	93	10,018.6	10,018.6	0	130		
CAPROCK # 21	Mc Crometer	78,331,175	78,160,204	170,971	0.52	206,069	203,463	2,606	14,945.0	14,912.4	32.6	65		
C-1	Mc Crometer	243	0	243	0.00	115,211	115,112	99	17,484.3	17,484.3	0	110		
CAPROCK # 2	Well Inoperable													
CAPROCK # 3	Well Inoperable													
CAPROCK # 5	Well Inoperable													
C-5	Well Inoperable													
C-4	Mc Crometer													
C-3	Mc Crometer													
CAPROCK # 17	Mc Crometer											80		
CAPROCK # 16	Mc Crometer											off		
Boosters		9,866,615	9,866,615	0	0.00	254,111	242,442	11,669	10999.9	10999.9	0			
2 MG RESERVOIR						1,370	1,323	47						
Totals				20,463,159	62.80			66,256			2634.70			

Meter Reads In Barrells
 Ambassadors #1 & # 3 - Wells Inoperable
 C-3, & Caprock #16 - Wells Inoperable
 Meter Changed Out
 Meter removed.

**DOUBLE EAGLE WATER SYSTEM
WATER RIGHTS PUMPED
ACRE FEET**

7648 Acre Ft. Available Per Year

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	122.27	104.02	106.63	131.16	131.94	108.31	137.27	122.89	129.50	122.80	83.40	125.20	1,425.39
2004	94.10	99.14	108.96	88.59	85.29	104.91	80.47	96.62	108.99	99.07	84.00	132.98	1,183.12
2005	81.06	73.83	91.00	90.00	110.71	129.71	103.80	125.81	89.55	91.54	92.55	103.75	1,183.31
2006	99.66	92.01	109.29	75.35	137.85	132.18	86.22	98.53	96.51	96.88	103.45	82.69	1,210.62
2007	73.12	78.65	99.85	73.60	97.46	93.25	114.77	141.58	113.26	111.06	98.79	109.92	1,205.31
2008	108.28	117.41	93.89	110.54	91.87	107.59	103.60	134.80	114.37	126.79	119.45	139.80	1,368.39
2009	115.53	83.87	105.70	112.09	109.80	124.02	128.01	105.62	101.64	134.59	96.48	98.93	1,316.28
2010	98.23	113.03	134.55	139.75	121.56	152.79	139.33	180.08	160.27	158.58	167.75	151.88	1,717.80
2011	171.89	131.01	144.73	160.28	185.57	170.30	157.83	137.34	139.25	135.26	137.58	117.98	1,789.02
2012	112.77	108.16	110.15	110.62	111.76	186.92	141.80	163.02	72.61	134.45	161.72	175.64	1,589.62
2013	164.38	146.44	142.20	145.50	142.80	124.28	97.54	94.88	109.18	103.89	93.63	85.58	1,450.30
2014	85.93	86.42	87.69	97.98	125.16	108.77	144.13	120.58	98.47	114.24	102.38	107.72	1,279.47
2015	89.83	63.29	89.61	87.98	64.58	50.44	70.24	51.81	37.52	33.59	30.08	30.07	699.04
2016	30.64	38.22	36.18	26.75	28.85	34.75	32.22	33.35	23.61	26.72	29.06	31.03	371.38
2017	25.7	35.61	28.01	23.74	32.89	38.88	31.35	39.17	34.97	35.18	35.9	30.94	392.34
2018	40.13	23.75	34.02	35.14	39.33	42.3	31.46	43.72	38.41	37.23	35.01	31.7	432.20
2019	38.5	31.43	38.88	47.10	47.95	27.52	54.21	65.54	52.22	48.53	47.46	38.97	538.31
2020	33.11	23.96	37.75	38.84	68.02	54.59	77.21	59.61	62.09	51.36	93.76	34.66	634.96
2021	62.14	65.22	46.43	96.87	69.61	96.94	91.63	56.41	120.17	121.64	87.7	85.52	1,000.28
2022	68.37	81.29	92.93	110.89	112.75	115	78.14	79.49	131.9	119.22	93.76	138.36	1,222.10
2023	108.02	142.18	195.09	128.58	88.51	93.44	86.57	75.07	55.22	73.24	70.51	62.8	1,179.23

**DOUBLE EAGLE WATER SYSTEM
WATER SOLD/PROVIDED
ACRE FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2003	103.16	118.81	92.16	100.16	106.02	121.98	117.48	118.48	96.98	96.27	117.92	65.14	1,255
2004	77.06	132.54	98.28	113.37	95.77	156.29	95.71	102.28	75.52	133.76	82.88	78.70	1,242
2005	95.53	53.68	62.88	76.56	70.95	68.86	107.91	88.42	76.59	66.83	88.31	60.69	917
2006	68.06	68.09	64.04	74.07	54.60	73.13	70.56	65.77	63.28	71.94	70.15	67.72	811
2007	63.47	71.20	43.33	64.06	81.36	83.03	80.18	72.46	89.35	38.88	49.77	115.89	853
2008	73.31	54.99	170.85	58.17	113.89	87.58	112.17	93.30	54.07	113.46	87.57	0.00	1,019
2009	133.68	134.89	193.91	128.57	124.42	147.29	149.87	144.41	403.39	204.34	216.64	205.47	2,187
2010	166.20	147.23	156.74	206.90	262.81	159.74	235.21	209.27	261.26	289.04	249.98	202.71	2,547
2011	273.88	296.83	197.17	305.62	293.17	356.46	306.39	341.59	373.96	299.28	332.79	115.34	3,492
2012	70.53	108.07	365.95	127.64	147.59	169.53	110.81	151.82	168.33	94.88	158.73	145.76	1,820
2013	304.62	105.90	114.03	89.49	91.59	72.45	66.60	67.58	58.66	52.40	62.94	49.32	1,136
2014	60.02	54.78	73.24	66.94	80.62	76.05	68.73	80.55	75.86	58.67	67.36	63.32	826
2015	59.07	47.81	31.75	28.16	38.17	18.94	17.79	19.48	17.51	11.21	9.04	8.54	307
2016	11.61	8.13	9.02	7.07	5.58	4.20	7.95	6.37	7.11	4.21	3.57	3.61	78
2017	4.28	4.14	3.55	4.95	3.85	8.38	7.79	4.46	4.83	3.69	4.76	7.98	63
2018	6.59	9.34	3.65	6.59	7.74	7.76	11.90	10.94	10.64	4.89	8.53	4.29	93
2019	8.82	6.04	3.21	5.81	9.53	6.98	9.20	9.01	13.52	11.29	9.57	11.67	105
2020	8.15	8.88	6.63	7.80	8.57	11.79	12.75	11.66	9.38	8.64	8.64	11.87	115
2021	4.34	2.25	8.89	9.73	16.09	8.99	13.45	7.96	8.14	6.35	18.20	7.44	111.83
2022	4.86	4.86	7.35	8.99	11.39	11.67	13.44	12.63	11.79	7.41	8.69	5.88	108.96
2023	9.35	7.06	7.84	10.60	8.74	9.70	13.87	13.02	14.00	10.60	7.83	6.68	119.29

Note: Free Stock Included

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** Number includes Paying Livestock/Free Livestock/Gov Domestic/Comm Domestic/Industrial/WIPP

WASTEWATER TREATMENT PLANT REPORT DECEMBER 2023


Wastewater:	Current Month	Previous Month	Calendar Year to Date
Total Effluent Discharge to Pecos River (Acre Ft.)	193.65	212.03	1,908.67
Treated Reuse Delivered to Mun. Golf Course (Acre Ft.)	17.37	24.97	675.17
Treated Reuse Sold to Rockhouse Ranch (Acre Ft.)	12.04	4.18	257.33
WWTP Irrigation Meter (Acre Ft.)	0.00	0.00	17.89
Total Reuse Pumped	29.41	29.15	950.39
After Hours Control Panel Alarms	0.00	0.00	28
KWH Consumed 977x160=	161,920	149,920.00	2,058,806
NPDES Permit Violations	0.00	0.00	10
Sodium Hypochloride for Reuse (Gallons)	54.00	55.00	1,827

Septage Disposal Report:	Current Month	Previous Month	Calendar Year to Date
Total Number of Loads	142	105	1,780
Taxed Gallons 177966 x \$.10	\$17,796.60	\$10,037.50	\$510,390.92
Taxed Manifest Books / \$30.00 4 x \$30.00	\$120.00	\$60.00	\$1,410.00
Subtotal	\$17,916.60	\$10,097.50	\$511,800.92
5% Tax	\$895.83	\$504.88	\$25,590.08
Taxed Billing	\$18,812.43	\$10,602.38	\$537,391.00
Tax Exempt Gallons 68700 X .10	\$6,870.00	\$1,775.00	\$132,154.99
Tax Exempt Manifest Books / \$30.00 1x \$30.00	\$30.00	\$0.00	\$300.00
Taxed Exempt Billing	\$6,900.00	\$1,775.00	\$132,454.99
Total Billing	\$25,712.43	\$12,377.38	\$669,845.99

Biosolids:	Current Month	Previous Month	Calendar Year to Date
Total Compost Produced (Cu. Yds.)	0.00	0.00	2,448.00
Amount of Sludge Sent to Compost Operation (Cu. Yds.)	1242.14	1156.60	15,455.84

Wastewater Discharge Characteristics:	Previous Month	Permit Limit
Average Biochemical Oxygen Demand (Lbs./Day)	55.65	293.00
Average Total Suspended Solids (Lbs./Day)	91.45	1,051.00
Average Flow (Million Gallons/Day)	2.12	NA
E.Coli (30 Day Avg.)	1.24	126.00

Remarks:


Matthew E. Warner, WW Superintendent

SEWER COLLECTIONS REPORT

Dec 23

	<u>This Month</u>	<u>Previous Month</u>	<u>Calendar Year to Date</u>
<u>Collection Lines:</u>			
Total Mileage of Main Line in System			139
Line Extension (Ft.)	0	0	0
Line Replacement (Ft.)	6	0	115
Repairs on Main Lines	1	0	14
Main Line Stoppages	5	0	17
Number of Manholes and Cleanouts	0	0	0
Manholes Flushed	0	0	0
Manholes Repaired	0	0	7
Customer Service Repairs	0	0	6
Customer Complaints, All Other	8	5	88
Carlsbad Line Location Service	0	0	0
Double Eagle Line Location Service	0	0	0
Ft. Sewer Liner Cleaned/Rodded	1,700	2,950	33,760
Sewer Tap Inspections	0	0	0
Total No. of Customer Services	0	0	0
Total No. of New Cust. Services Installed	0	0	0

<u>Lift Stations:</u>			
Total in Service			
Number of After-Hour Control Panel Alarms	2	5	23
Number of Repairs	0	0	0
KWH Consumed, Primary Lift Station	54720	58,720	662,400
KWH Consumed, All Other Lift Stations	13248	14,603	151,441

Wes Rich 1-2-24

install new cleanout Elora st

**EFFLUENT DISCHARGE TO PECOS RIVER
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	275.31	248.42	260.88	233.80	316.16	282.37	276.77	278.69	311.94	258.03	349.52	325.73	3,417.62
2001	272.21	204.60	217.67	191.40	142.09	236.98	244.68	224.77	225.64	195.79	254.84	265.78	2,676.45
2002	266.35	232.01	263.62	256.99	225.81	190.74	250.02	214.79	206.30	244.07	207.28	239.84	2,797.82
2003	195.98	143.44	168.79	155.94	169.64	151.16	185.64	183.40	174.65	209.24	209.88	236.34	2,184.10
2004	232.32	213.56	223.88	291.51	274.82	213.81	209.05	186.17	199.53	241.73	280.59	208.26	2,775.23
2005	184.13	164.12	178.11	168.66	206.41	168.17	167.37	181.58	157.77	173.60	147.12	169.92	2,066.96
2006	141.87	127.02	172.99	140.40	140.92	169.70	174.86	188.76	197.39	185.97	178.88	182.23	2,000.99
2007	175.29	153.32	169.55	166.88	207.94	153.26	271.96	303.14	316.00	351.48	364.76	305.84	2,939.42
2008	259.44	239.22	252.53	246.40	228.69	180.08	206.35	210.09	240.35	261.89	258.89	171.21	2,755.14
2009	358.99	231.11	189.22	175.11	196.47	196.37	167.43	158.99	147.30	182.56	165.29	186.18	2,355.02
2010	179.80	164.40	171.85	172.47	136.28	138.37	220.04	174.07	196.08	190.49	192.02	181.35	2,117.22
2011	177.75	161.00	153.44	128.22	131.87	132.52	140.71	144.86	149.98	149.77	158.14	176.47	1,804.73
2012	177.26	133.35	158.96	132.17	197.54	139.17	163.09	149.43	143.97	124.39	140.86	183.20	1,843.39
2013	174.54	155.21	161.36	131.65	121.07	133.60	175.46	164.14	177.28	206.07	240.30	209.81	2,050.49
2014	210.63	150.47	156.04	153.06	160.67	157.52	218.21	280.09	284.34	255.76	244.57	224.53	2,495.89
2015	251.82	212.71	212.94	169.98	208.69	201.13	216.44	237.77	198.80	221.07	202.61	233.28	2,567.24
2016	250.84	215.81	203.86	199.36	220.94	213.33	202.97	238.61	251.05	230.03	217.11	202.17	2,646.08
2017	226.02	195.23	190.92	172.18	121.62	114.39	132.83	166.44	166.80	172.02	164.66	171.59	1,994.70
2018	180.72	134.33	132.78	116.31	115.83	119.59	129.91	152.77	160.73	184.72	166.96	175.48	1,770.13
2019	187.77	147.18	151.39	141.14	122.93	147.25	156.34	163.47	171.70	196.57	190.31	181.66	1,957.71
2020	171.87	152.55	144.74	108.70	129.17	128.14	127.36	133.91	137.49	147.44	150.85	168.11	1,700.33
2021	176.88	166.70	155.81	141.66	147.77	138.68	213.38	233.23	213.59	229.06	205.63	201.46	2,223.85
2022	215.85	180.58	165.29	88.93	133.36	132.40	154.29	155.42	159.82	200.87	194.49	193.65	1,974.95
2023	195.33	175.90	127.53	162.53	166.59	105.31	32.91	101.38	64.63	215.46	212.03	193.65	1,753.25

**EFFLUENT REUSE
ACRE / FEET**

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2000	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2001	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2003	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2004	18.94	15.45	17.52	25.36	40.46	43.55	50.58	38.81	31.31	20.14	7.82	8.08	318.02
2005	6.96	5.99	14.35	35.49	31.91	43.54	45.14	30.45	37.52	25.95	25.12	20.74	323.16
2006	22.68	22.17	23.21	37.40	49.95	99.47	207.81	72.92	23.20	34.28	20.50	17.75	631.34
2007	13.63	13.91	24.14	31.79	27.52	49.34	36.59	38.53	32.68	25.42	12.77	13.64	319.96
2008	15.06	20.54	21.83	41.29	46.49	48.50	35.56	40.95	22.85	38.63	26.92	7.18	365.80
2009	16.77	20.71	26.54	40.51	39.84	41.08	44.08	51.38	49.33	43.70	27.62	11.71	413.27
2010	16.58	8.89	23.08	31.79	62.07	61.63	15.10	49.33	28.02	29.55	21.36	18.51	365.91
2011	14.69	8.13	38.05	54.54	56.44	52.72	55.45	50.42	49.73	44.67	23.78	7.38	456.00
2012	5.82	10.40	24.91	46.25	37.18	50.67	42.51	59.86	50.03	26.67	15.56	8.15	378.01
2013	8.68	7.48	21.68	38.81	58.76	53.68	37.15	36.50	21.42	29.52	12.20	14.36	340.24
2014	19.88	23.44	34.05	32.20	47.27	54.26	67.18	45.85	21.00	32.05	19.69	28.04	424.91
2015	7.33	13.31	21.93	47.89	49.49	75.50	63.51	46.70	44.23	16.48	17.41	12.08	415.86
2016	7.43	17.65	41.85	42.00	37.41	34.82	53.26	35.94	29.90	29.75	21.56	18.97	370.54
2017	10.85	15.78	32.93	38.92	58.76	70.39	69.88	42.35	41.26	32.46	17.40	10.48	441.46
2018	25.29	45.73	62.15	81.04	88.81	83.84	93.81	74.15	55.54	42.74	34.22	15.62	702.94
2019	18.09	35.37	50.54	63.17	87.76	78.14	89.60	85.06	68.66	48.29	26.89	27.94	679.51
2020	28.16	29.07	40.67	66.70	70.90	67.84	77.07	74.77	58.73	42.58	23.60	10.88	590.97
2021	7.76	6.75	44.46	41.16	47.64	63.50	37.20	40.37	10.15	33.27	30.33	13.21	375.80
2022	6.81	14.04	38.29	48.19	67.72	82.38	70.77	77.47	75.39	27.51	15.31	14.71	538.59
2023	12.63	10.61	83.36	56.85	58.04	127.63	177.03	111.88	140.74	1.90	29.15	29.41	839.23

CITY OF CARLSBAD

INTER-OFFICE MEMORANDUM

Richard Lopez Mayor

January 29, 2024

TO: Council Members

FROM: Mayor Lopez

RE: Board, Commission and Committee Appointments

Subject to the approval of the Governing Body, I would like to appoint the following:

Southeast Regional Transportation Planning Organization (SERTPO)

Appoint: Angie Barrios-Testa

Appoint: Justin Ramos

Thank you
RL/wca

OFFICIAL SERTPO COMMITTEE MEMBER(S) CONFIRMATION

As **Mayor** of the **City of Carlsbad**, I hereby appoint the following individual(s) as Representative/
Alternate to the [Southeast Regional Transportation Planning Organization \(SERTPO\)](#):

SERTPO Committee Representative (Full Name):	Angie Barrios-Testa
Title:	Director of Grant Programs
Contact Telephone (Business/Home):	Office (575) 887-1191 Ext. 7904 Cell (575)652-1317
Mailing Address (PO Box/Street Address):	101 N. Halagueno St. (PO Box 1569)
City/State/Zip Code:	Carlsbad, NM 88220 (PO Box Zip 88221)
E-Mail Address:	abtesta@cityofcarlsbadnm.com
SERTPO Committee Alternate (Full Name):	Justin Ramos
Title:	Street Superintendent
Contact Telephone (Business/Home):	Office 575-885-6262 Cell (575) 302-5267
Mailing Address (PO Box/Street Address):	1701 W. Fox Street (PO Box 1569)
City/State/Zip Code:	Carlsbad, NM 88220 (PO Box Zip 88221)
E-Mail Address:	jrramos@cityofcarlsbadnm.com

SERTPO Committee Member Representatives are the principal officials, or their designated alternates, representing the municipal, county and tribal governments. The Committee provides policy guidance in the development of SERTPO activities and takes all official actions. The SERTPO Committee reviews, rates and/or prioritizes transportation projects for its Regional Transportation Improvements Program Recommendations (RTIPR), state-or-federally-funded. The Committee may receive input from subcommittees.

SIGNED: _____
Richard D. Lopez, Mayor

Date

ORDINANCE NO. 2024-____

AN ORDINANCE AMENDING A PORTION OF SECTION 29-C OF CHAPTER 16 OF THE CODE OF ORDINANCES, CITY OF CARLSBAD, NEW MEXICO TO INCREASE THE ACTING MUNICIPAL JUDGE'S FLAT RATE FEE PER DAY AND INCREASE THE TOTAL FEE DURING ANY ONE CALENDAR YEAR

WHEREAS, Chapter 16-29-C of the Code of Ordinances, City of Carlsbad, New Mexico, set the Acting Municipal Judge's flat rate fee in 1988 at Fifty Dollars (\$50.00) per day and set the total amount to be paid at Three Thousand Dollars (\$3,000.00) during any one calendar year; and

WHEREAS, the City Council of Carlsbad desires to increase the Acting Municipal Judge's flat rate fee per day and increase the total amount to be paid during any one calendar year.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, that:

Section 16-29-C of the Carlsbad City Code is hereby amended to state an increase of the flat rate fee of the Acting Municipal Judge shall be Three Hundred Dollars (\$300.00) per day and an increase not in excess of SIXTY THOUSAND DOLLARS (\$60,000.00) during any one calendar year.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this ____ day of _____, 2024.

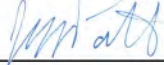
Richard D. Lopez, MAYOR

ATTEST:

City Clerk

CITY OF CARLSBAD

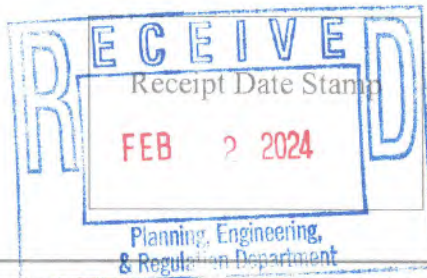
AGENDA BRIEFING MEMORANDUM



Council Meeting Date: 2/13/2024

DEPARTMENT: Planning, & Regulation	BY: Jeff Patterson, Planning Director	DATE: 2/1/2024											
SUBJECT: Permission from the City Council to allow Milton's Brewing to host a temporary Food Truck and food sales in the downtown area along Mermod St. within the public street ROW.													
Applicant: Milton's Brewing Lucas Middleton, owner 213 W. Mermod St. Carlsbad, NM 88220													
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) Milton's Brewing is requesting permission from the City Council to host a food truck along W. Mermod St. within the public street ROW. The area in which the food truck will be parked is between The Mermod St./Canal St. intersection to the west, and the Mermod St./Canyon St. intersection to the east (map attached). Milton's Brewing plans to contact and invite local food truck owners to park within the on-street parking spaces on the north side of W. Mermod St. across from their store front at 213 W. Mermod St. Milton's plans to work with several different food truck owners to ensure that a food truck will be on site for most business days. The plan is to have a food truck on site Tuesday through Friday from 4:00 PM to 10:00 PM, from 2:00 PM to 10:00 PM on Saturdays, and from 2:00 PM to 8:00 PM on Sundays. Milton's will vet all food trucks to ensure that the truck owners have all required licensing and permitting through the City and the State.													
Approval of this Temporary Use Permit will give Milton's a blanket permission to place one truck at a time within the subject ROW. The goal of this request is to utilize the presence of the food trucks to increase visitors to their business and the downtown area.													
The applicant will be required to provide a surety bond for this type of request.													
RECOMMENDATION: Approval of the request with the following conditions:													
<ol style="list-style-type: none"> 1. The applicant shall not disturb the peace with a loud speaker, megaphone, bell, music or other disruptive noise. 2. Approval of this request grants permission to the applicant to host food trucks within the public ROW along W. Mermod St. The food trucks will be set up within the public street ROW, one truck at a time. The trucks will set up Tuesdays through Sunday during the times indicated. The applicant will need to provide a surety bond. 													
BOARD/COMMISSION/COMMITTEE ACTION: N/A													
<table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> P & Z</td> <td><input type="checkbox"/> Lodgers Tax Board</td> <td><input type="checkbox"/> Cemetery Board</td> <td rowspan="2" style="vertical-align: middle;">} <input type="checkbox"/> APPROVED</td> </tr> <tr> <td><input type="checkbox"/> Museum Board</td> <td><input type="checkbox"/> San Jose Board</td> <td><input type="checkbox"/> Water Board</td> </tr> <tr> <td><input type="checkbox"/> Library Board</td> <td><input type="checkbox"/> N. Mesa Board</td> <td><input type="checkbox"/> _____ Committee</td> <td>} <input type="checkbox"/> DISAPPROVED</td> </tr> </table>			<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	} <input type="checkbox"/> APPROVED	<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee	} <input type="checkbox"/> DISAPPROVED
<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Board	} <input type="checkbox"/> APPROVED										
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board											
<input type="checkbox"/> Library Board	<input type="checkbox"/> N. Mesa Board	<input type="checkbox"/> _____ Committee	} <input type="checkbox"/> DISAPPROVED										
Reviewed By: Interim													
City Administrator: <u> /s/Wendy Austin </u> Date <u> 02/08/2024 </u>													

ATTACHMENT(S): Application, map



CITY OF CARLSBAD

Planning, Engineering, and Regulation Department PO Box 1569, Carlsbad, NM 88221 Phone (575) 885-1185 Fax (575) 628-8379

TEMPORARY USE APPLICATION Sec. 56-80 and Temporary Housing

Application Date: 2/1/24

Fee Paid (\$10.00): yes - ck #2698

TYPE OF USE REQUESTED:

- Carnival, Circus, Fair, Public Event
Parking Lot Sale
Garage, Estate, Yard Sale
Natural Disaster, Emergency Personal Assistance Location
Real Estate Sales Office
Temporary Housing
Other

APPLICANT INFORMATION:

Milton's Brewing 213 W Marmod
NAME ADDRESS
Carlsbad NM 88220 575-706-3575
CITY STATE ZIP PHONE EMAIL

che@mitansbrewing.com

PROPERTY OWNER INFORMATION* (IF DIFFERENT FROM APPLICANT):

City of Carlsbad 101 N Halaguenco
NAME ADDRESS
Carlsbad NM 88220 575-887-1191
CITY STATE ZIP PHONE EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH TEMPORARY USE IS REQUESTED):

marmod street between Canal & Canyon
ADDRESS LOT BLOCK SUBDIVISION ZONING

Description and Duration of Temporary Use:

We would like to have a food truck set up across from the brewery during open hours, Tue-Fri 4-10 pm, Sat 2-10pm, Sun 2-8pm

Site Plan:

See map

FOR OFFICIAL USE ONLY:

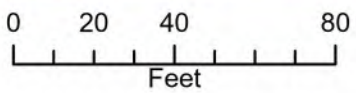
Approved Approved with Conditions Denied By: _____

Approval Date: _____ Permit Expiration Date: _____

Conditions of approval:

Milton's Food Truck Request

2/6/2024



CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM

Meeting Date: 2/13/2024

DEPARTMENT: Planning & Regulation	BY: Jeff Patterson, Director	DATE: 2/7/2024
------------------------------------------	-------------------------------------	-----------------------

SUBJECT: Vacation of approximately 3,000 sq. ft. (0.069 acres) of public alley Right-of-Way (ROW) to the east Lots 1-5 of Atwood Subdivision, located to the east of Hamilton Place, pursuant to 3-20-12 NMSA 1978.

Applicant:
City of Carlsbad
101 N. Halagueno St.
Carlsbad, NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): The City is requesting that approximately 3,000 sq. ft. (0.069 acres) of right-of-way (ROW) located to the east of Lots 1-5 of Atwood Subdivision be vacated and converted into real property that will be deeded over to the property owners adjacent to this subject ROW. The ROW was dedicated to the City as part of the Atwood Subdivision final plat, approved and filed in 2015. As seen on the attached property plat, the alley in question is approximately 300 linear feet in length and approximately 10' in width. The alley runs along the rear property lines of Lots 1-5 of Atwood Subdivision, and lies to the west of property owned by Martin Farms Subdivision Inc. This property to the west is soon to become the fifth unit of Martin Farms Subdivision. The owners of the Martin Farms property have reached an agreement to sell a piece of the Martin Farms property to the five property owners in the Atwood Subdivision in order to preserve this alley access for the Atwood Subdivision property owners. This new piece of property will be combined with the existing 10' of alleyway to create a new alley that will be approximately 16' wide for the length of the alley.

According to 3-20-12. NMSA 1978:

3-20-12. Vacation or partial vacation of plat; approval of government having jurisdiction; duties of county clerk.

Any plat filed in the office of the county clerk may be vacated or a portion of the plat may be vacated provided:

- (1) the owners of the land in the territory proposed to be vacated sign a statement, duly acknowledged, declaring the plat or a portion of the plat to be vacated; and
- (2) the statement is endorsed "Approved" by the planning authority of the municipality within whose platting jurisdiction the subdivision lies.

B. In approving the vacation or partial vacation of a plat, the planning authority of the municipality shall consider if the vacation or partial vacation of a plat will adversely affect the interests or rights of persons in contiguous territory or within the subdivision being vacated. In approving the vacation or partial vacation of a plat, the planning authority of the municipality may require that streets dedicated to the municipality in the original plat shall continue to be dedicated to the municipality. The owners of lots on the vacated plat or on the portion of the plat being vacated may enclose in equal proportions the adjoining streets and alleys which are authorized to be abandoned by the planning authority of the municipality.

C. The statement declaring the vacation or partial vacation of a plat and having the proper endorsements shall be filed in the office of the county clerk wherein the original plat is filed. The county clerk shall mark the applicable words "Vacated" or "Partially Vacated" across the plat and shall refer on the plat to the volume and page on which the statement of vacation or partial vacation is recorded.

IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC: By vacating this alley ROW, the City will remove itself from the property transactions taking place between the aforementioned property owners. The City currently has no utilities located in this alley, and there is no other public utilities visible in this alley. The City has no apparent need to preserve this alley as public ROW. Should the City approve of this vacation of

public ROW, the City would then deed this property over to the property owners from Atwood Subdivision.

The following *City of Carlsbad Comprehensive Plan 2040* objectives apply to this request:

Chapter 4: Housing & Neighborhoods

Objectives:

- To preserve the character, identity, and integrity of established neighborhoods.
- To encourage the on-going maintenance of rental and owner-occupied properties.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on 2/5/2024, the Planning and Zoning Commission considered this item and recommended approval with a vote of five (5) in favor of approval, none (0) against, none (0) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			X	Planning, Eng. & Reg. Dept.:			
Fire Department			X	Code Enforcement Division			X
Legal Department			X	Engineering Division			X
Police Department			X	Planning Division	X		
Utilities Department			X	Building & Regulation Division			X

DEPARTMENT COMMENTS:

Public Works: No comments.

Utilities Department: No comments.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: Recommend approval.

Police Department: No comments.

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|-----------------------------------------|--------------------------------------------|------------------------------------------|----------------------------------------------|
| <input checked="" type="checkbox"/> P&Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | <input type="checkbox"/> DISSAPPROVED |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> _____ Committee | |

Reviewed by Interim City Administrator /s/Wendy Austin Date: 02/08/2024

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.



CITY OF CARLSBAD

*Planning, Engineering,
and Regulation Department*

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

VACATION APPLICATION

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Special Property Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. If desired, a letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and fifteen (15) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of four months from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.



Receipt Date Stamp

CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 88220

Phone (575) 885-1185, Fax (575) 628-8379

APPLICATION FOR VACATION (Fee: None)

Choose One: Subdivision [] Right of Way []

PART 1: PROPERTY LOCATION (address or legal description.):

Three horizontal lines for property location information.

PART 2: APPLICANT INFORMATION:

Name of Applicant: _____

Applicant's Address: _____

City/State/Zip: _____

Telephone: _____ Cell Phone: _____

Signature(s) _____

PART 3. REQUIRED DOCUMENTATION:

A submittal letter signed by the applicant and notarized providing the following information:

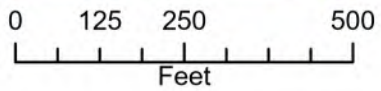
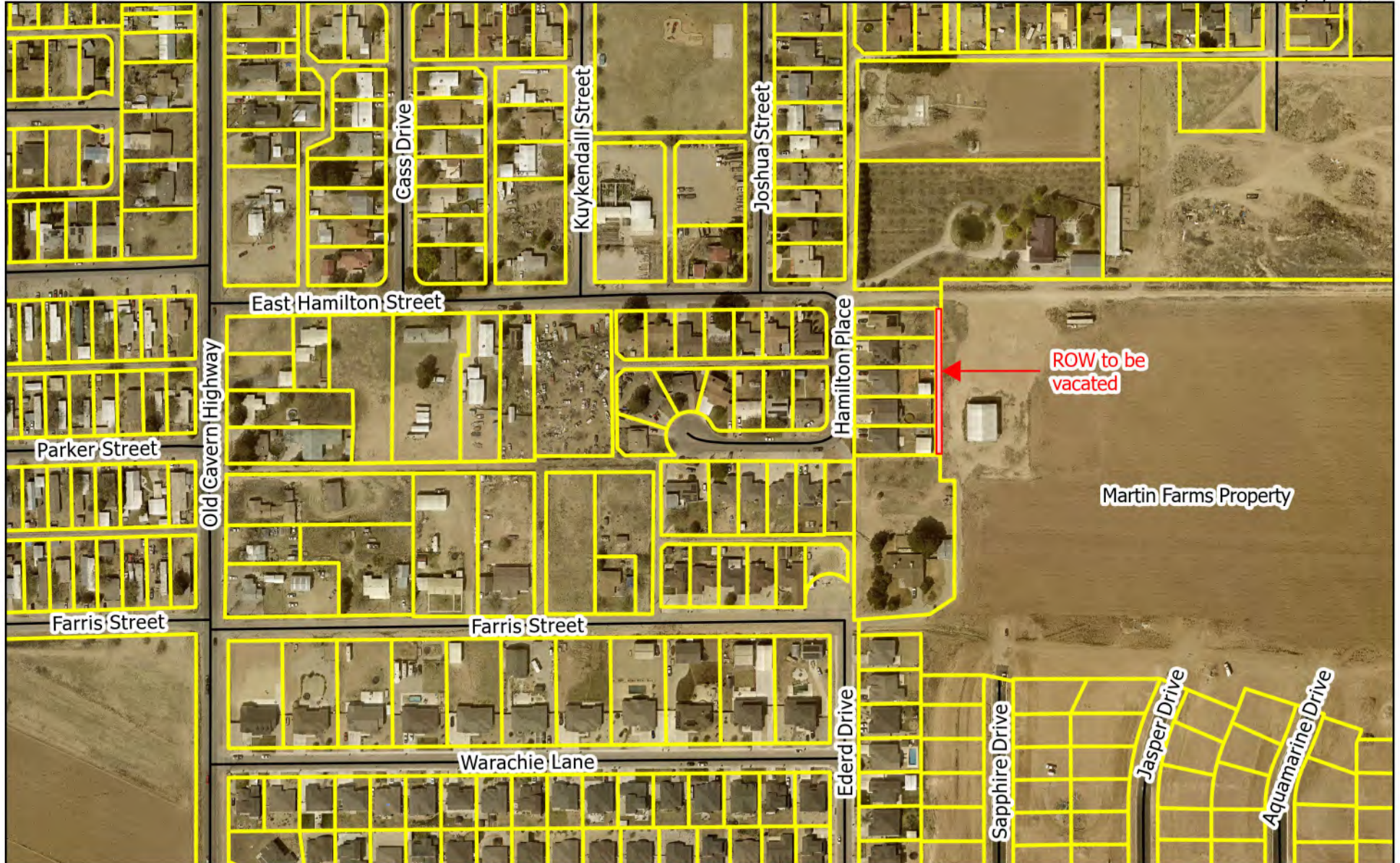
- Three checkboxes for required information: reason for vacation, limitation to access, and appraisal cost.

The following documentation shall be provided:

- Five checkboxes for required documentation: attorney/land surveyor statement, legal description, plat, map, and utility confirmation.

Alley ROW Vacation

2/6/2024



ATWOOD SUBDIVISION

A SUBDIVISION OF THE AMENDED PLAT OF ATWOOD-WALTERSCHEID LINE ADJUSTMENT SUBDIVISION, FILED IN CABINET 3, SLIDE 265-1, OF THE MAPPING RECORDS FOR EDDY COUNTY, NEW MEXICO, IN WHICH LOTS 1, 2, 3, 4, 5, & 6 ARE BEING CREATED AND DESCRIBED BY THEIR PERIMETER AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE CALLED LINE ADJUSTMENT SUBDIVISION; THEN N89°28'20"E, ALONG THE NORTH LINE OF CALLED PLAT FOR 176.07 FEET; THEN S00°05'17"W, ALONG THE EAST LINE OF CALLED PLAT FOR 393.04 FEET; THEN N89°03'30"E, FOR 29.73 FEET; THEN S00°05'57"W, CONTINUING ALONG THE EAST LINE, FOR 241.71 FEET; THEN S56°27'28"W, ALONG THE SOUTHERLY LINE OF CALLED PLAT, FOR 61.47 FEET; THEN S85°46'18"W, ALONG THE SOUTH LINE OF CALLED PLAT FOR 155.06 FEET, TO THE WEST LINE OF CALLED PLAT; THEN N00°05'44"E, ALONG THE EAST LINE OF CALLED PLAT FOR 678.02 FEET, BACK TO THE POINT OF BEGINNING. CONTAINING ±2.89 ACRES MORE OR LESS.

CURRENT ZONING REQUIREMENTS:

ZONE: RESIDENTIAL 1
 MINIMUM STREET FRONTAGE: 50'
 LOT ACREAGE MINIMUM: 6,000 sq ft OR ±0.14 acres
 FRONT SETBACK: 30'
 SIDE SETBACK: 5'-7.5'
 BACK SETBACK: 10'

FLOOD ZONE:

THE SUBJECT PROPERTY LIES IN FLOOD ZONE X, WHERE AREAS HAVE BEEN DETERMINED TO LIE OUTSIDE THE 0.20% ANNUAL CHANCE FLOODPLAIN.
 DFIRM: 35015C1065 D
 EFFECTIVE DATE: JUNE 4, 2010.
 COMMUNITY #350017
 COUNTY #350120

LOT ACREAGES:

5 LOTS @ 0.23 ACRES
 1 LOT @ 1.51 ACRES
 TOTAL LOTS: 6
 TOTAL AREA: ±2.89 ACRES

PUBLIC DEDICATIONS:

HAMILTON STREET AT THE NORTH OF SUBDIVISION IS THE ONLY PUBLIC DEDICATION PER THIS PLAT.

THERE IS A 10 FOOT WIDE SECONDARY ACCESS ALONG THE EAST SIDE OF THE LOTS.

EASEMENTS

THERE IS CREATED PER THIS PLAT A 10 FOOT WIDE UTILITY LYING ALONG THE WEST SIDE OF LOTS 4, 5, & 6.

Linda Kay Atwood
 LINDA KAY ATWOOD

OWNERS STATEMENT AND AFFIDAVIT

STATE OF New Mexico : SS
 COUNTY OF Eddy :

THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE: AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS LOTS, EASEMENT AND DEDICATED ROAD TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF:

CITY OF CARLSBAD
 SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME

THIS 9th DAY OF October, 2015

By Linda Kay Atwood
 NOTARY: PRINT SIGNER'S NAME

Jennifer M. Campos
 JENNIFER M. CAMPOS
 NOTARY PUBLIC
 11-19-2017



OFFICIAL SEAL
 JENNIFER M. CAMPOS
 NOTARY PUBLIC - STATE OF NEW MEXICO
 11-19-2017

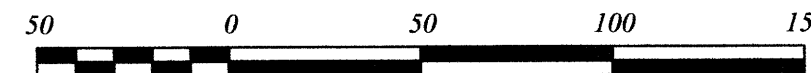
APPROVAL BY THE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS REPLAT HAS BEEN APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, DURING A REGULARLY SCHEDULED MEETING HELD ON

THIS 14th DAY OF October, 2015.

James C. Knott
 CHAIRMAN

Timothy Smith
 SECRETARY



Scale 1" = 50'

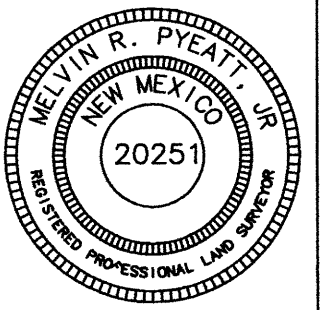
LEGEND

- ◊ CORNER FOUND AS NOTED
- SET #4 REBAR, CAP 20251
- FENCE LINE
- ==== DIRT ROAD
- NEW & OLD EASEMENTS

I, MELVIN R. PYEATT, JR., A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I AM RESPONSIBLE FOR THIS SURVEY, AND THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

M. R. Pyeatt, Jr.

MELVIN R. PYEATT, JR., 423 W. GREENE ST. SUITE 1, CARLSBAD, N.M., 88220, CERTIFICATE NO. 20251, TELE. 885-6867, FAX 885-6867

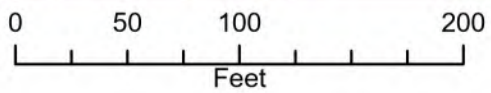


STATE OF NEW MEXICO, COUNTY OF EDDY, I HERE BY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 9th DAY OF October, 2015 A.D. AT 3:47 O'CLOCK P.M.

CABINET 6 SLIDE 417-1
 ROBIN VANNATTA-COUNTY CLERK
 BY Kenda Nelson DEPUTY

R&R SURVEYING LLC A LAND SURVEYING COMPANY	
INDEXING INFO. FOR CO. CLERK	
SEC. 20	T22S R27E N.M.P.M.
SUBDIVISION: ATWOOD SUBDIVISION	
OWNER: LINDA KAY ATWOOD	
CITY: CARLSBAD	
COUNTY: EDDY	
STATE: NEW MEXICO	
DATE: OCTOBER 1, 2015	
ACCESS: YES	
AREA: ±2.89 ACRES	

22 x 17



CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM

Meeting Date: 2/13/2024

DEPARTMENT: Planning & Regulation	BY: Jeff Patterson, Director	DATE: 2/6/2024
------------------------------------------	-------------------------------------	-----------------------

SUBJECT: Request for Zone Change from “R-1” Residential 1 District to “R-2” Residential 2 District for a parcel totaling approximately 0.17 acres for a property located at 501 N. Maple St., legally described as Lots 2 & 4, Block 10, Greene’s Western Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
NMT3S, LLC
2004 Pepper Tree Pl.
Carlsbad, NM 88220

****The applicant provided the required notification to property owners within 100’ and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners’ 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.***

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):

The applicant has submitted a request for Zone Change from “R-1” Residential 1 District to “R-2” Residential 2 District for a parcel totaling approximately 0.17 acres for a property located at 501 N. Maple St., legally described as Lots 2 & 4, Block 10, Greene’s Western Subdivision

The properties to the north, south, east & west are zoned “R-1” Residential 1 District. This request would create a spot-zone.

The applicant would like to place a Multiple-Family Dwelling on the property

Section 56-40(c) states:

(c) Residential 2 (R-2) District.

The Residential 2 District is intended to accommodate higher density single-family, duplex, multiple-family, and mobile home parks and subdivisions and to provide land-use protections for areas that develop in such a manner.

Comprehensive Plan: Strategy 2040 goals and policies that are applicable to this request are:

Chapter 4: Housing & Neighborhoods

Objectives:

- To address the current unmet housing needs for all household income levels in Carlsbad.
- To increase the supply of market rate, workforce, and student rental and owner-occupied housing in Carlsbad.
- To encourage the rehabilitation of existing substandard and abandoned housing structures in existing neighborhoods.

Chapter 5: Land Use

Objectives:

- To identify areas of opportunity for infill and redevelopment.
- To remove or improve nuisance properties, dilapidated structures, and inoperable vehicles.
- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.

According to Zoning Ordinance **Sec. 56-150(b)(4). Amendments**, Findings Required, a statement of fact

regarding each of the following findings is required:

- (a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
- (b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
- (c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and
- (d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
- (e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
- (f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
- (g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
- (h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on January 8, 2024, the Planning and Zoning Commission considered this item and recommended approval with a vote of five (5) in favor of approval, none (0) against, none (0) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			X	Planning, Eng. & Reg. Dept		X	
Fire Department			X	Code Enforcement Division			X
Legal Department		X		Planning Division		X	
Police Department			X	Projects Department			X
Utilities Department			X	Building Division			X

DEPARTMENT COMMENTS:

Public Works: No comment

Utilities Department: No comment

Building Department: No comment

Fire Department: No comment

Police Department: No comment

Code Enforcement: No comment

Legal Department: Recommend denial.

Planning Department: Recommend denial

BOARD/COMMISSION/COMMITTEE ACTION:

- | | | | |
|-----------------------------------------|--------------------------------------------|------------------------------------------|----------------------------------------------|
| <input checked="" type="checkbox"/> P&Z | <input type="checkbox"/> Lodgers Tax Board | <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> APPROVED |
| <input type="checkbox"/> Museum Board | <input type="checkbox"/> San Jose Board | <input type="checkbox"/> Water Board | <input type="checkbox"/> DISSAPPROVED |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> N. Mesa Board | <input type="checkbox"/> _____ Committee | |

Reviewed by Interim
City Administrator /s/Wendy Austin Date: 02/08/2024

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.

ORDINANCE NO. 2024-06

AN ORDINANCE REZONING PART OF "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT FOR AN APPROXIMATELY 0.17 ACRE PROPERTY, LOCATED AT 501 N. MAPLE ST., LEGALLY DESCRIBED AS LOTS 2 & 4, BLOCK 10, GREENE'S WESTERN SUBDIVISION; PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "R-2" Residential 2 District, for an approximately 0.17 acre property, located at 501 N. Maple St., legally described as:

LOTS 2 & 4, BLOCK 10, GREENE'S WESTERN SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of February, 2024.

RICHARD D. LOPEZ, MAYOR

ATTEST:

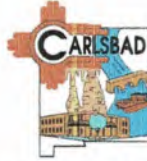
CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, January 8, 2024 at 5:00 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, January 8, 2024 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
GoToMeeting ID: 322-869-293
US Phone: +1 (571) 317-3122 Access Code: 322-869-293

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held December 4, 2023
4. Remove from Table a consideration of recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision
5. Consider a recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision
6. Consider a recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "R-2" Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene's Western Subdivision
7. Consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St.
8. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr.
9. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave.
10. Consider a request for a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out
11. Report regarding Summary Review Subdivisions
12. Adjourn



FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City website:
cityofcarlsbadnm.com

Or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, February 5, 2024 at 5:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD
PLANNING & ZONING COMMISSION
HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX COUNCIL CHAMBERS,
114 S. HALAGUENO STREET, JANUARY 8, 2024 AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

**JAMES MCCORMICK
BRAD NESSER
VALERIE BRANSON
TRENT CORNUM
LINDA WILSON**

**CHAIRPERSON (ARRIVED AT 5:05)
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
TRYSHA ORTIZ**

**PLANNING DIRECTOR
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

VANESSA ORNELAS

**PLANNING AND REGULATION
DEPARTMENT SECRETARY**

OTHERS PRESENT:

**LORI HERNANDEZ
JOSE HERNANDEZ
RODOLFO GILBERT
ELI MARTINEZ
CAROLYN BANKS
DANIEL BANKS
DANIEL MORRILL
WAYNE BALLARD
DAVID GUERRERO
MORGAN NAJAR
KELLY NAJAR
DENISE MADRID BOYEA
CHARLIE GARCIA**

**413 N MAPLE ST
413 N MAPLE ST
1408 HAGERMAN ST
3804 S SUNNYVIEW AVE
209 PECAN ST
209 PECAN ST
1825 TROY DR
2004 PEPPERTREE ST
3501 HIDALGO RD
1507 LINCOLN DR
1507 LINCOLN DR
CITY OF CARLSBAD
CITY OF CARLSBAD**

Time Stamps and headings below correspond to the recording of the meeting and the recording is hereby made a part of the official record.

0:00:00 Start Recording [5:04:00 PM]

0:00:15 **1. Roll call of Voting Members and Determination of Quorum**

Roll was called, confirming the presence of a quorum of commission members. The following members were present—**Mr. Cornum, Ms. Branson, Mr. Nesser, and Ms. Wilson.** Absent—**Mr. McCormick.**

0:00:33 **2. Approval of Agenda**

Mr. Patterson noted the following revisions to the agenda:

Item #10 Consider a request of a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out has been removed at the request of the Planning and Zoning department.

Ms. Wilson made a motion to approve the Agenda; **Ms. Branson** seconded the motion. The vote was as follows: Yes— **Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent— **Mr. McCormick** Abstained—None. The motion carried.

(Mr. McCormick arrives at 05:05:00 PM)

0:01:33 **3. Approval of Minutes from the Meeting held December 4, 2023**

Ms. Wilson made a motion to approve the Minutes from the meeting held on December 4, 2023; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:02:19 **4. Remove from Table a consideration of recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision**

Mr. Cornum made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:03:35 **5. Consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision**

Daniel Banks approached the podium. **Mr. Patterson** explained the item to consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision. **Mr. Banks** explained the property is currently zoned residential. Since cleaning the property and removing the structures, there have been several passersby interested in the property to purchase or lease. **Mr. Banks** explains he and Ms. Banks have no interest in selling but are willing to lease the property to an acquaintance who is interested in operating a mechanic shop on the property, hence the request for a C-2 zoning. **Mr. McCormick** inquired as to why the Planning Department recommended denial. **Mr. Patterson** explained the request would not be a spot zone but is recommended for denial because the property backs up to residential properties. No Public comments were made.

Mr. Nesser made a motion for approval; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:17:15 **6. Consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “R-2” Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene’s Western Subdivision**

Wayne Ballard and David Guerrero approached the podium. **Mr. Patterson** explained the item to consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “R-2” Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene’s Western Subdivision. **Mr. Ballard** explained they want to remove the current structure and build a four-plex on the property. He explains the unit will provide more affordable housing in the area. The current structure is very dilapidated and needs to be removed. He believes these changes will help improve the neighborhood. **Lori and Jose Hernandez** approached the podium opposed to the zone change. **Ms. Hernandez** expressed her concern for additional traffic and is also concerned the size of the structure is not going to leave enough room for parking. **Mr. McCormick** explained the commission is not voting on what is going to be built on the property the commission is only voting on the zone change and if approved the applicant will be able to build anything that is allowed in R-2 zoning. If there are any questions they will need to be directed to the applicant. **Mr. Hernandez** asked what the difference is between R-1 and R-2 zoning. **Mr. Ballard** explained R-1 only allows for a single-family dwelling to be on the property and R-2 allows for Multi-family dwellings. **Morgan Najjar of Western Commerce Bank** approached the podium. She expressed the need for additional housing in Carlsbad and believes this is going to be a great addition to the neighborhood. **Rodolfo Gilbert** approached the podium opposed to the zone change also concerned about the traffic and parking. **Mr. Branson** inquires about how many vehicles are allowed per dwelling throughout the city. **Mr. Patterson** explained that each dwelling should allow for at least 2 off-street parking spaces but they are allowed to park on the street. If this item is approved each unit will be required to have 2 off-street parking spaces per unit. **Mr. Cornum** asked to clarify where exactly the parking spaces will be placed. **Mr. Ballard** explained the parking would be in the right-of-way on Hagerman St. No other public comments were made. **Mr. Nesser** asked what the depth of the property is and what the depth of the unit would be. **Mr. Ballard** explained the Lot is 58’ in-depth and the unit would be 28’ in-depth. **Ms. Wilson** asked what the back setback in R-2 zoning is. **Mr. Ballard** said he believes the rear setback is 8’.

Mr. Cornum made a motion for approval; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:41:09 **7. Consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St.**

Wayne Ballard approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St. **Mr. Ballard** explained the parking would be on the Hagerman St. side of the property. The parking spaces will be placed on the right-of-way (ROW), along with a sidewalk to be placed. **Mr. McCormick** clarified the parking will not be on the street only in the ROW. **Mr. Ballard** assured the parking would not cause any obstruction on the street. **Lori and Jose Hernandez** approached the podium opposed to the request. They are concerned the size of the structure would not leave space for parking on the property. **Ms.**

Hernandez is concerned if the parking is on Maple she will have to pull into the intersection to turn onto Maple because she cannot see in her small car. **Mr. Ballard** explained the parking would be placed on Hagerman St. and agreed to share the final plans with the neighbors when they are finalized. No other public comments were made.

Mr. Nesser made a motion for approval with the condition that there would be no parking on Maple St. and that will be paved or concrete; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:53:44 **8. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr.**

Daniel Morrill approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr. **Mr. Morrill** explained he would like to place a wood storage structure in the setbacks. Due to the size of the backyard, the current setbacks would not allow for the size of the structure he is interested in placing. The structure would take up a majority of the backyard area if he were to stay within the current setbacks. No public comments were made. **Mr. Cornum** explains there isn't room for drainage with 0' setbacks. **Mr. Nesser** stated he would like to see a 2' rear setback and a 2' side setback. **Mr. Morrill** expressed he would like to have at least a 1' rear setback but will comply with what the commission decides.

Ms. Nesser made a motion for approval with conditions for a 2' side setback and a 1' rear setback; **Mr. McCormick** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser.** No— **Mr. Cornum, Ms. Wilson, and Ms. Branson.** Absent—None Abstained—None. The motion did not pass.

Ms. Wilson does not have an issue with the side setback of 2' but would like to see the rear setback at 2' as well. **Mr. Cornum** agreed.

Ms. Nesser made a motion for approval with conditions for a 2' side setback and a 2' rear setback; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

01:08:43 **9. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave.**

Eli Martinez approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave. **Mr. Martinez** explained he would like to add a 20'x18' metal freestanding garage on his property to store his vehicles to allow for the aesthetics of the property to be improved. He stated though he does not need to meet a rear setback because he has an alleyway, he will still maintain up to 2' off the rear and side of the property. No public comments were made.

Ms. Wilson made a motion for approval; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

01:14:28 **10. Consider a request of a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out**

Item #10 has been removed at the request of the Planning and Zoning department.

01:14:30 **11. Report regarding Summary Review Subdivisions**

Mr. Patterson reported on the Summary Reviews. Nothing unusual was noted.

01:15:00 **12. Adjourn**

The meeting was adjourned.

01:16:45 Stop Recording [6:21:45 PM]



Chairman

2-5-24

Date



CITY OF CARLSBAD

*Planning, Engineering, and
Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 12/7/23
Existing Zoning: R-1

Fee Paid (\$100.00): _____
Proposed Zoning: R-2

APPLICANT INFORMATION:

<u>NMT35, LLC</u>		<u>2004 PEPPER TREE PLACE</u>		
NAME		ADDRESS		
<u>CARLSBAD</u>	<u>NM</u>	<u>88220</u>	<u>575-706-7104</u>	<u>WAYNE@BUILTCONCRETE.COM</u>
CITY	STATE	ZIP	PHONE	EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME		ADDRESS		
CITY	STATE	ZIP	PHONE	EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

<u>501 N. MAPLE</u>	<u>2</u>	<u>10</u>	<u>GREENES WESTERN</u>
ADDRESS	LOT	BLOCK	SUBDIVISION

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:

Complete Application Including: Map Fee Letter Notification Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

ABM Staff Comments Application Packet Draft Ordinance P&Z Minutes

Council Action: Approved Denied Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.



APPLICANT SIGNATURE

12/2/23
DATE

Sign issued by: _____
Staff Member

Date: 12/7/23

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: NMT35, LLC 2004 PEPPER TREE PLACE 575-706-7104
Name Address Phone

Subject Site Location: 501 NORTH MAPLE STREET

The proposed action is a:

Zoning Change from R-1 to R-2 in accordance with Sec. 56-150(b).

Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

Home Occupation: _____

Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: 1-8-2024

Time: **5:00pm**

Place: **City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220**

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.

For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant/Agent

9589 0710 5270 0628 4012 31

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 605 N. Second St
 City, State, ZIP+4® Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0628 4012 55

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 413 N. Maple St
 City, State, ZIP+4® Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0628 4011 56

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 306 N. Maple
 City, State, ZIP+4® Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0628 4012 24

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 303 N. Maple St
 City, State, ZIP+4® Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

9589 0710 5270 0628 4011 32

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 1908 W. Hagerman St
 City, State, ZIP+4® Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0628 4011 49

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$



Sent To Property Owner
 Street and Apt. No., or PO Box No. 1102 Branson Ave.
 City, State, ZIP+4® Las Cruces NM 88001

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0628 4012 48

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage
\$

Total Postage and Fees
\$

Sent To Property Owner

Street and Apt. No., or PO Box No.
413 N. Maple St

City, State, ZIP+4®
Carlsbad nm 88220





CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

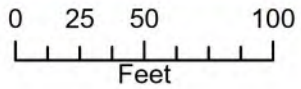
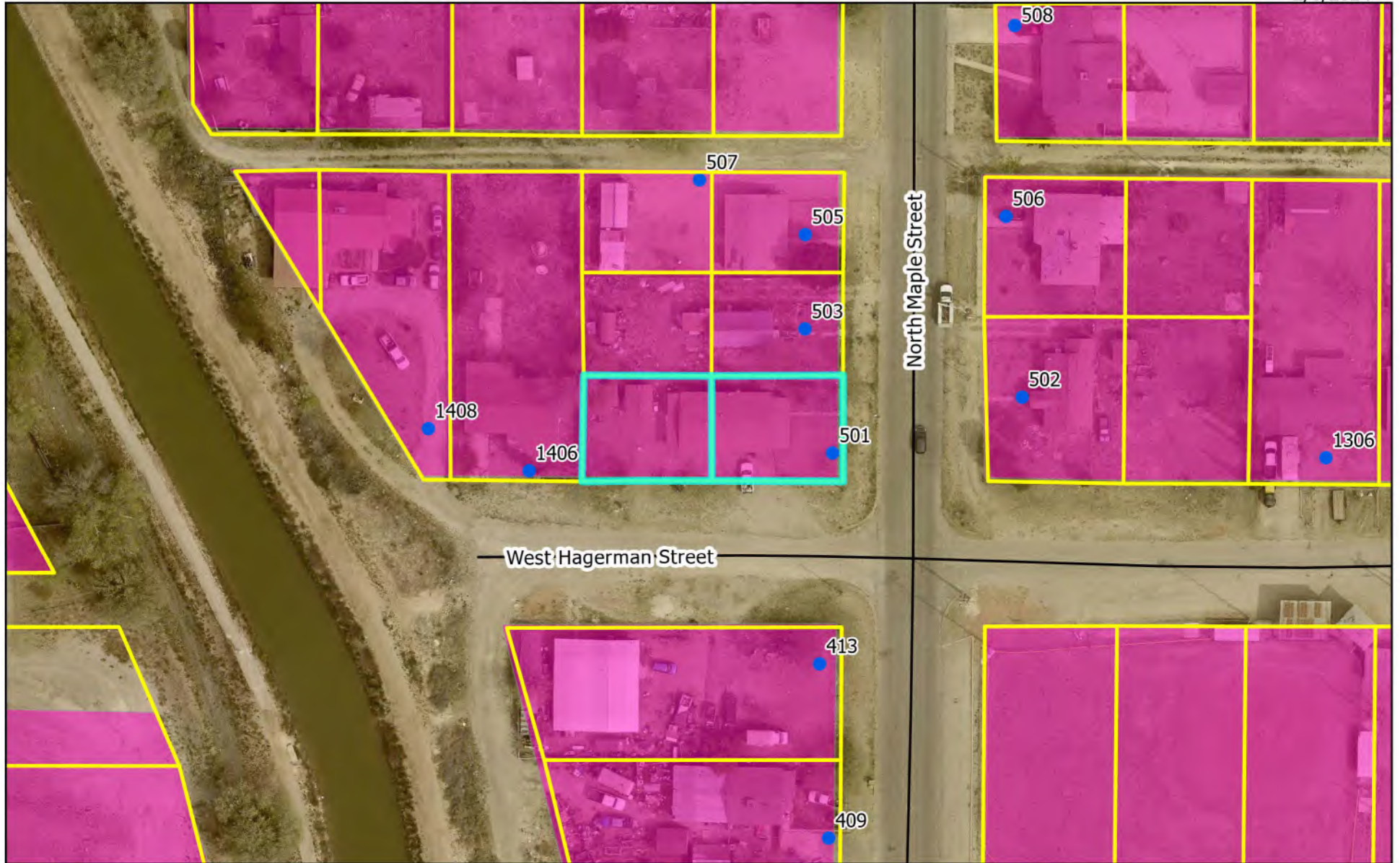
The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.
3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

- 1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.
- 2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A “notice of public hearing” is published in the Current Argus at least 30 days prior to the hearing.
- 3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100’) of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100’ of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant’s information, legal description of subject property, and the date of the hearing.
- 4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.
- 5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

Zone Change Request - R-1 to R-2 - 501 N. Maple St.

2/6/2024

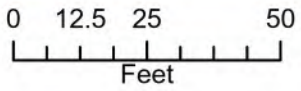
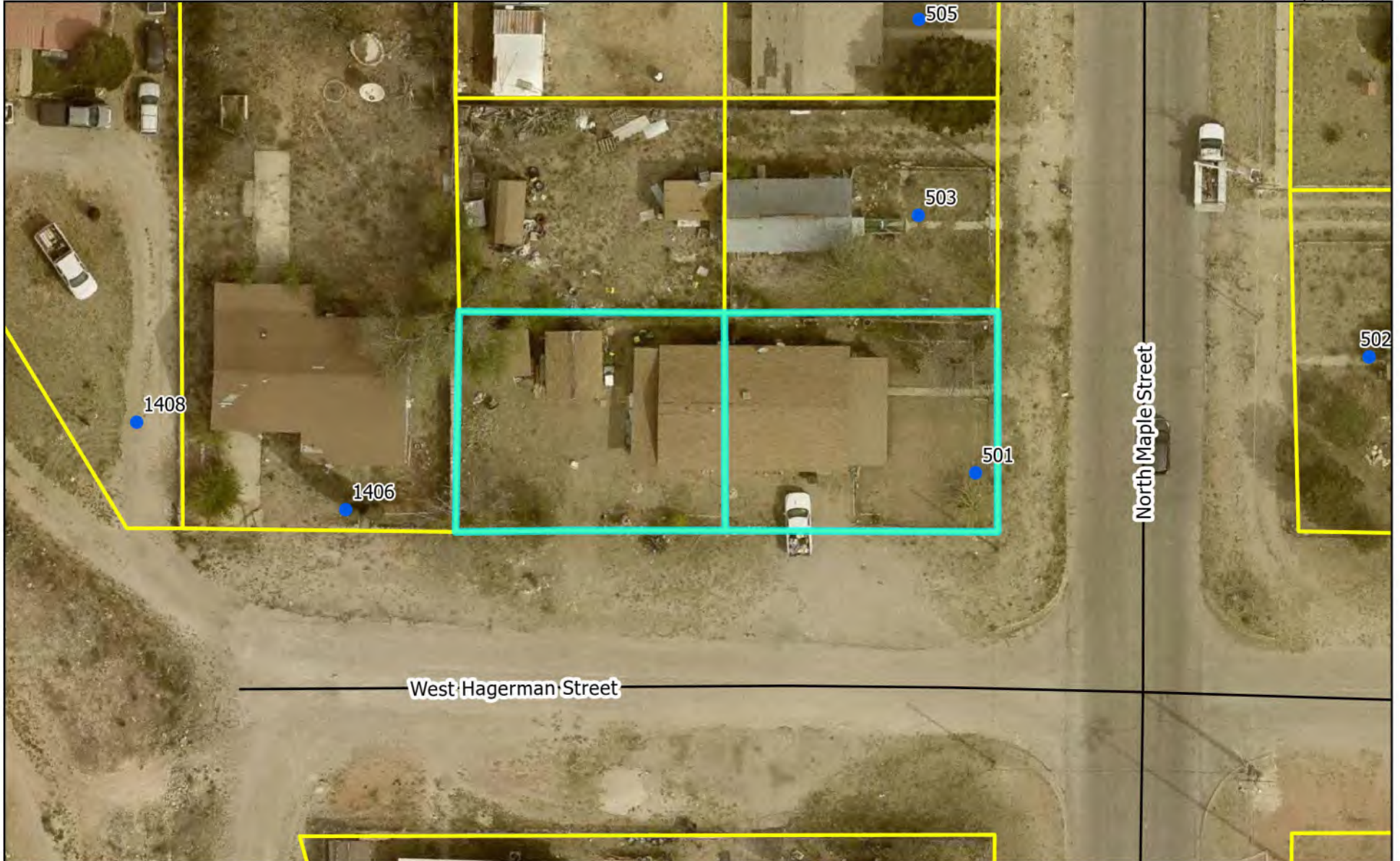


- Parcel
- Carlsbad Address
- Roads
- Zoning
- C-1
- C-2
- I
- PUD
- R-1
- R-2
- R-R



Zone Change Request - R-1 to R-2 - 501 N. Maple St.

2/6/2024



Legend

- Parcel
- Carlsbad Address
- Roads



CITY OF CARLSBAD
AGENDA BRIEFING MEMORANDUM

Meeting Date: 2/13/2024

DEPARTMENT: Planning & Regulation	BY: Jeff Patterson, Director	DATE: 2/6/2024
------------------------------------------	-------------------------------------	-----------------------

SUBJECT: Request for a change of zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 0.864 acres, located at 219 W. Pecan St, legally described as Lot 5, Block M, Hemler Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
Carolyn Banks
9 Sagebrush Trail
Artesia, NM 88210

****The applicant provided the required notification to property owners within 100’ and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners’ 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.***

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Request for a change of zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 1.66 acres, located at 219 W. Pecan St, legally described as Lot 5, Block M, Hemler Subdivision.

Sec. 56-40(e) states:

(e) Commercial 2 (C-2) District.

The Commercial 2 District is intended to accommodate community and regional-scale retail and commercial uses. Such uses are regulated in order to be compatible with surrounding uses and existing infrastructure.

The properties to the north are zoned “C-2” Commercial 2 District; the properties to the east, west & south are zoned “R-1” Residential 1 District. This will not create a spot zone.

Comprehensive Plan: Strategy 2040 goals and policies that are applicable to this request are:

Chapter 5: Land Use

Objectives:

- To identify areas of opportunity for infill and redevelopment.
- To remove or improve nuisance properties, dilapidated structures, and inoperable vehicles.
- To encourage redevelopment of vacant or underutilized properties for residential, commercial, or mixed-use development.

According to Zoning Ordinance **Sec. 56-150(b)(4). Amendments**, Findings Required, a statement of fact regarding each of the following findings is required:

- (a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
- (b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
- (c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

- (d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
- (e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
- (f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
- (g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
- (h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Based on review of the application and staff comments, at their meeting on January 8, 2024, the Planning and Zoning Commission considered this item and recommended approval with a vote of five (5) in favor of approval, none (0) against, none (0) absent and none (0) abstain.

DEPARTMENT RECOMMENDATION (please check):

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			X	Planning, Eng. & Reg. Dept		X	
Fire Department			X	Code Enforcement Division			X
Legal Department			X	Planning Division		X	
Police Department			X	Projects Department			X
Utilities Department			X	Building Division			X

DEPARTMENT COMMENTS:

Public Works: No comment

Utilities Department: No comment

Building Department: No comment

Fire Department: No comment

Police Department: No comment

Code Enforcement: No comment

Legal Department: No comment

Planning Department: Recommend denial

BOARD/COMMISSION/COMMITTEE ACTION:

- P&Z
- Museum Board
- Library Board
- Lodgers Tax Board
- San Jose Board
- N. Mesa Board
- Cemetery Board
- Water Board
- _____ Committee
- APPROVED
- DISSAPPROVED

Reviewed by Interim City Administrator /s/Wendy Austin Date: 02/08/2024

ATTACHMENTS: Application materials, Ordinance, P & Z Minutes.

ORDINANCE NO. 2024-07

AN ORDINANCE REZONING PART OF "R-1 RESIDENTIAL 1 DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR AN APPROXIMATELY 0.864 ACRE PROPERTY, LOCATED AT 219 W. PECAN ST., LEGALLY DESCRIBED AS LOT 5, BLOCK M, HEMLER SUBDIVISION PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "C-2" Commercial 2 District, for an approximately 0.864 acre property, located at 219 W. Pecan St., legally described as:

Lot 5, Block M, Hemler Subdivision

INTRODUCED, PASSED, ADOPTED AND APPROVED this 13th day of February, 2024.

RICHARD D. LOPEZ, MAYOR

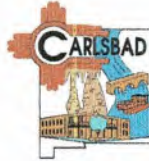
ATTEST:

CITY CLERK

MINUTES OF THE REGULAR MEETING OF THE
City of Carlsbad
Planning & Zoning Commission

Monday, January 8, 2024 at 5:00 p.m.

Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, January 8, 2024 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
GoToMeeting ID: 322-869-293
US Phone: +1 (571) 317-3122 Access Code: 322-869-293

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held December 4, 2023
4. Remove from Table a consideration of recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision
5. Consider a recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "C-2" Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision
6. Consider a recommendation to the City Council regarding a request to change the zoning from "R-1" Residential 1 District to "R-2" Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene's Western Subdivision
7. Consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St.
8. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr.
9. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave.
10. Consider a request for a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out
11. Report regarding Summary Review Subdivisions
12. Adjourn



FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City website:
cityofcarlsbadnm.com

Or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal
and regular business hours

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, February 5, 2024 at 5:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD
PLANNING & ZONING COMMISSION
HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX COUNCIL CHAMBERS,
114 S. HALAGUENO STREET, JANUARY 8, 2024 AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

**JAMES MCCORMICK
BRAD NESSER
VALERIE BRANSON
TRENT CORNUM
LINDA WILSON**

**CHAIRPERSON (ARRIVED AT 5:05)
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
TRYSHA ORTIZ**

**PLANNING DIRECTOR
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

VANESSA ORNELAS

**PLANNING AND REGULATION
DEPARTMENT SECRETARY**

OTHERS PRESENT:

**LORI HERNANDEZ
JOSE HERNANDEZ
RODOLFO GILBERT
ELI MARTINEZ
CAROLYN BANKS
DANIEL BANKS
DANIEL MORRILL
WAYNE BALLARD
DAVID GUERRERO
MORGAN NAJAR
KELLY NAJAR
DENISE MADRID BOYEA
CHARLIE GARCIA**

**413 N MAPLE ST
413 N MAPLE ST
1408 HAGERMAN ST
3804 S SUNNYVIEW AVE
209 PECAN ST
209 PECAN ST
1825 TROY DR
2004 PEPPERTREE ST
3501 HIDALGO RD
1507 LINCOLN DR
1507 LINCOLN DR
CITY OF CARLSBAD
CITY OF CARLSBAD**

Time Stamps and headings below correspond to the recording of the meeting and the recording is hereby made a part of the official record.

0:00:00 Start Recording [5:04:00 PM]

0:00:15 **1. Roll call of Voting Members and Determination of Quorum**

Roll was called, confirming the presence of a quorum of commission members. The following members were present—**Mr. Cornum, Ms. Branson, Mr. Nesser, and Ms. Wilson.** Absent—**Mr. McCormick.**

0:00:33 **2. Approval of Agenda**

Mr. Patterson noted the following revisions to the agenda:

Item #10 Consider a request of a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out has been removed at the request of the Planning and Zoning department.

Ms. Wilson made a motion to approve the Agenda; **Ms. Branson** seconded the motion. The vote was as follows: Yes— **Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent— **Mr. McCormick** Abstained—None. The motion carried.

(Mr. McCormick arrives at 05:05:00 PM)

0:01:33 **3. Approval of Minutes from the Meeting held December 4, 2023**

Ms. Wilson made a motion to approve the Minutes from the meeting held on December 4, 2023; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:02:19 **4. Remove from Table a consideration of recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision**

Mr. Cornum made a motion for approval; **Mr. Nesser** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:03:35 **5. Consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision**

Daniel Banks approached the podium. **Mr. Patterson** explained the item to consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “C-2” Commercial 2 District, located at 219 W. Pecan Ave., legally described as Lot 5, Block M, Hemler Subdivision. **Mr. Banks** explained the property is currently zoned residential. Since cleaning the property and removing the structures, there have been several passersby interested in the property to purchase or lease. **Mr. Banks** explains he and Ms. Banks have no interest in selling but are willing to lease the property to an acquaintance who is interested in operating a mechanic shop on the property, hence the request for a C-2 zoning. **Mr. McCormick** inquired as to why the Planning Department recommended denial. **Mr. Patterson** explained the request would not be a spot zone but is recommended for denial because the property backs up to residential properties. No Public comments were made.

Mr. Nesser made a motion for approval; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:17:15

6. Consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “R-2” Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene’s Western Subdivision

Wayne Ballard and David Guerrero approached the podium. **Mr. Patterson** explained the item to consider a recommendation to the City Council regarding a request to change the zoning from “R-1” Residential 1 District to “R-2” Residential 2 District, located at 501 N. Maple St., legally described as Lot 2 & 4, Block 10, Greene’s Western Subdivision. **Mr. Ballard** explained they want to remove the current structure and build a four-plex on the property. He explains the unit will provide more affordable housing in the area. The current structure is very dilapidated and needs to be removed. He believes these changes will help improve the neighborhood. **Lori and Jose Hernandez** approached the podium opposed to the zone change. **Ms. Hernandez** expressed her concern for additional traffic and is also concerned the size of the structure is not going to leave enough room for parking. **Mr. McCormick** explained the commission is not voting on what is going to be built on the property the commission is only voting on the zone change and if approved the applicant will be able to build anything that is allowed in R-2 zoning. If there are any questions they will need to be directed to the applicant. **Mr. Hernandez** asked what the difference is between R-1 and R-2 zoning. **Mr. Ballard** explained R-1 only allows for a single-family dwelling to be on the property and R-2 allows for Multi-family dwellings. **Morgan Najar of Western Commerce Bank** approached the podium. She expressed the need for additional housing in Carlsbad and believes this is going to be a great addition to the neighborhood. **Rodolfo Gilbert** approached the podium opposed to the zone change also concerned about the traffic and parking. **Mr. Branson** inquires about how many vehicles are allowed per dwelling throughout the city. **Mr. Patterson** explained that each dwelling should allow for at least 2 off-street parking spaces but they are allowed to park on the street. If this item is approved each unit will be required to have 2 off-street parking spaces per unit. **Mr. Cornum** asked to clarify where exactly the parking spaces will be placed. **Mr. Ballard** explained the parking would be in the right-of-way on Hagerman St. No other public comments were made. **Mr. Nesser** asked what the depth of the property is and what the depth of the unit would be. **Mr. Ballard** explained the Lot is 58’ in-depth and the unit would be 28’ in-depth. **Ms. Wilson** asked what the back setback in R-2 zoning is. **Mr. Ballard** said he believes the rear setback is 8’.

Mr. Cornum made a motion for approval; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:41:09

7. Consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St.

Wayne Ballard approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-100(d) of the Carlsbad Code of Ordinances to allow parking in the public right-of-way, located at 501 N. Maple St. **Mr. Ballard** explained the parking would be on the Hagerman St. side of the property. The parking spaces will be placed on the right-of-way (ROW), along with a sidewalk to be placed. **Mr. McCormick** clarified the parking will not be on the street only in the ROW. **Mr. Ballard** assured the parking would not cause any obstruction on the street. **Lori and Jose Hernandez** approached the podium opposed to the request. They are concerned the size of the structure would not leave space for parking on the property. **Ms.**

Hernandez is concerned if the parking is on Maple she will have to pull into the intersection to turn onto Maple because she cannot see in her small car. **Mr. Ballard** explained the parking would be placed on Hagerman St. and agreed to share the final plans with the neighbors when they are finalized. No other public comments were made.

Mr. Nesser made a motion for approval with the condition that there would be no parking on Maple St. and that will be paved or concrete; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

0:53:44 **8. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr.**

Daniel Morrill approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 0' rear and 0' side setbacks located at 1825 Troy Dr. **Mr. Morrill** explained he would like to place a wood storage structure in the setbacks. Due to the size of the backyard, the current setbacks would not allow for the size of the structure he is interested in placing. The structure would take up a majority of the backyard area if he were to stay within the current setbacks. No public comments were made. **Mr. Cornum** explains there isn't room for drainage with 0' setbacks. **Mr. Nesser** stated he would like to see a 2' rear setback and a 2' side setback. **Mr. Morrill** expressed he would like to have at least a 1' rear setback but will comply with what the commission decides.

Ms. Nesser made a motion for approval with conditions for a 2' side setback and a 1' rear setback; **Mr. McCormick** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser.** No— **Mr. Cornum, Ms. Wilson, and Ms. Branson.** Absent—None Abstained—None. The motion did not pass.

Ms. Wilson does not have an issue with the side setback of 2' but would like to see the rear setback at 2' as well. **Mr. Cornum** agreed.

Ms. Nesser made a motion for approval with conditions for a 2' side setback and a 2' rear setback; **Ms. Wilson** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

01:08:43 **9. Consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave.**

Eli Martinez approached the podium. **Mr. Patterson** explained the item to consider a request for a Variance from Sec. 56-90(b) of the Carlsbad Code of Ordinances to allow a 2' side setback located at 3804 S. Sunnyview Ave. **Mr. Martinez** explained he would like to add a 20'x18' metal freestanding garage on his property to store his vehicles to allow for the aesthetics of the property to be improved. He stated though he does not need to meet a rear setback because he has an alleyway, he will still maintain up to 2' off the rear and side of the property. No public comments were made.

Ms. Wilson made a motion for approval; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. McCormick, Mr. Nesser, Mr. Cornum, Ms. Wilson, and Ms. Branson.** No—None. Absent—None Abstained—None. The motion carried.

01:14:28 **10. Consider a request of a Subdivision Plat creating two parcels located at 4609 Old Cavern Hwy, Carlsbad-Out**

Item #10 has been removed at the request of the Planning and Zoning department.

01:14:30 **11. Report regarding Summary Review Subdivisions**

Mr. Patterson reported on the Summary Reviews. Nothing unusual was noted.

01:15:00 **12. Adjourn**

The meeting was adjourned.

01:16:45 Stop Recording [6:21:45 PM]



Chairman



Date



CITY OF CARLSBAD
Planning, Engineering, and
Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: March 3, 2023
Existing Zoning: R-1

Fee Paid (\$100.00): 100.00 JW CASH
Proposed Zoning: C-2 2-6-23

APPLICANT INFORMATION:

Carolyn Banks 9 Sagebrush Trail
NAME ADDRESS
Artesia, NM 88210 575-626-4654 carolynbanks@usa.net
CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Carolyn Banks 9 Sagebrush Trail
NAME ADDRESS
Artesia, NM 88210 575-484-3575 carolynbanks@usa.net
CITY STATE ZIP PHONE EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

209 W. Pecan St. Lots 445 M Member Subdivision
ADDRESS LOT BLOCK SUBDIVISION

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

- The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.
- The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.
- The proposed amendment is necessary in order to respond to State and/or Federal legislation.
- The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.
- The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.
- The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.
- The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.
- The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:

Complete Application Including: Map Fee Letter Notification Sign Agreement

Required prior to City Council:

Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

ABM Staff Comments Application Packet Draft Ordinance P&Z Minutes

Council Action: Approved Denied Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.



APPLICANT SIGNATURE

2/4/2023
DATE

Sign issued by: 

Staff Member

Date: 2/3/23

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: _____

Subject Site Location: 209 W. Pecan St.

The proposed action is a:
 Zoning Change from R-1 to C-2 in accordance with Sec. 56-150(b).

Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
 Home Occupation: _____
 Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: March 6, 2023

Time: 5:00pm

Place: City Annex Planning Room

114 S. Halagueno St.

Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com. For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

Zoning Change Application

Date February 4, 2024

Dear Owner:

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100 ft) of the subject site.

Applicant: Carolyn Banks 9 Sagebrush Trl, Artesia, NM 88210 575 484 3575
Name address phone

Subject Site Location: 209 W. Pecan Street, Carlsbad, NM 88220

The proposed action is a

Zoning Change from R-1 to C-2 in accordance with Sec. 56-150(b).

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: March 6, 2023

Time: 5:00 pm

Place: City Annex Planning Room

114 S. Halagueno St.

Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at (575) 885 1185
OR via e-mail at jepatterson@cityofcarlsbadnm.com.

Sincerely,



Applicant

7020 3160 0001 9691 2752

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Carlsbad, NM 88220

OFFICIAL USE

Certified Mail Fee	\$4.15	0612
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Alegria Franco*
 Street and Apt. No., or PO Box No.: *502 Del Rio ST*
 City, State, ZIP+4®: *Carlsbad NM 88220*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 9691 2755

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Carlsbad, NM 88221

OFFICIAL USE

Certified Mail Fee	\$4.15	0612
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Guadalupe Ortega*
 Street and Apt. No., or PO Box No.: *Po Box 2492*
 City, State, ZIP+4®: *Carlsbad NM 88221-2492*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 9691 2748

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Carlsbad, NM 88220

OFFICIAL USE

Certified Mail Fee	\$4.15	0612
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Gene Taylor*
 Street and Apt. No., or PO Box No.: *1021 E Riverside Dr*
 City, State, ZIP+4®: *Carlsbad NM 88220*

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7020 3160 0001 9691 2779

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Erin Monte Donte*
 Street and Apt. No., or PO Box No.: *107 E Charming Rd*
 City, State, ZIP+4®: *Carlsbad NM 88220*

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Marie Bunkham*
 Street and Apt. No., or PO Box No.: *202 W Street*
 City, State, ZIP+4®: *Carlsbad NM 88220*

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Sent To: *Mejane Longoria*
 Street and Apt. No., or PO Box No.: *1911 Serra Cir*
 City, State, ZIP+4®: *Carlsbad NM 88220*

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Juana Hernandez
 1402 Irvin St
 Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 9691 2793

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Carlsbad, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Adeline Aguiler
 210 L Street
 Carlsbad NM 88220

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Carlsbad, NM 88220

OFFICIAL USE

Certified Mail Fee	\$4.15	0612
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Beata Borunda
 216 L Street
 Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 9691 2731

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Todd Hayward
 220 L Street
 Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Lubbock, TX 79424

OFFICIAL USE

Certified Mail Fee	\$4.15	0612
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
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<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Louder Investment S.
 6205 77th St
 Lubbock TX 79424

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 3160 0001 9691 2816

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Carlsbad, NM 88220

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00	01
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.63	
Total Postage and Fees	\$4.78	

Postmark: FEB -6 2023

Sent To: Adeline Saltzman
 204 L Street
 Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

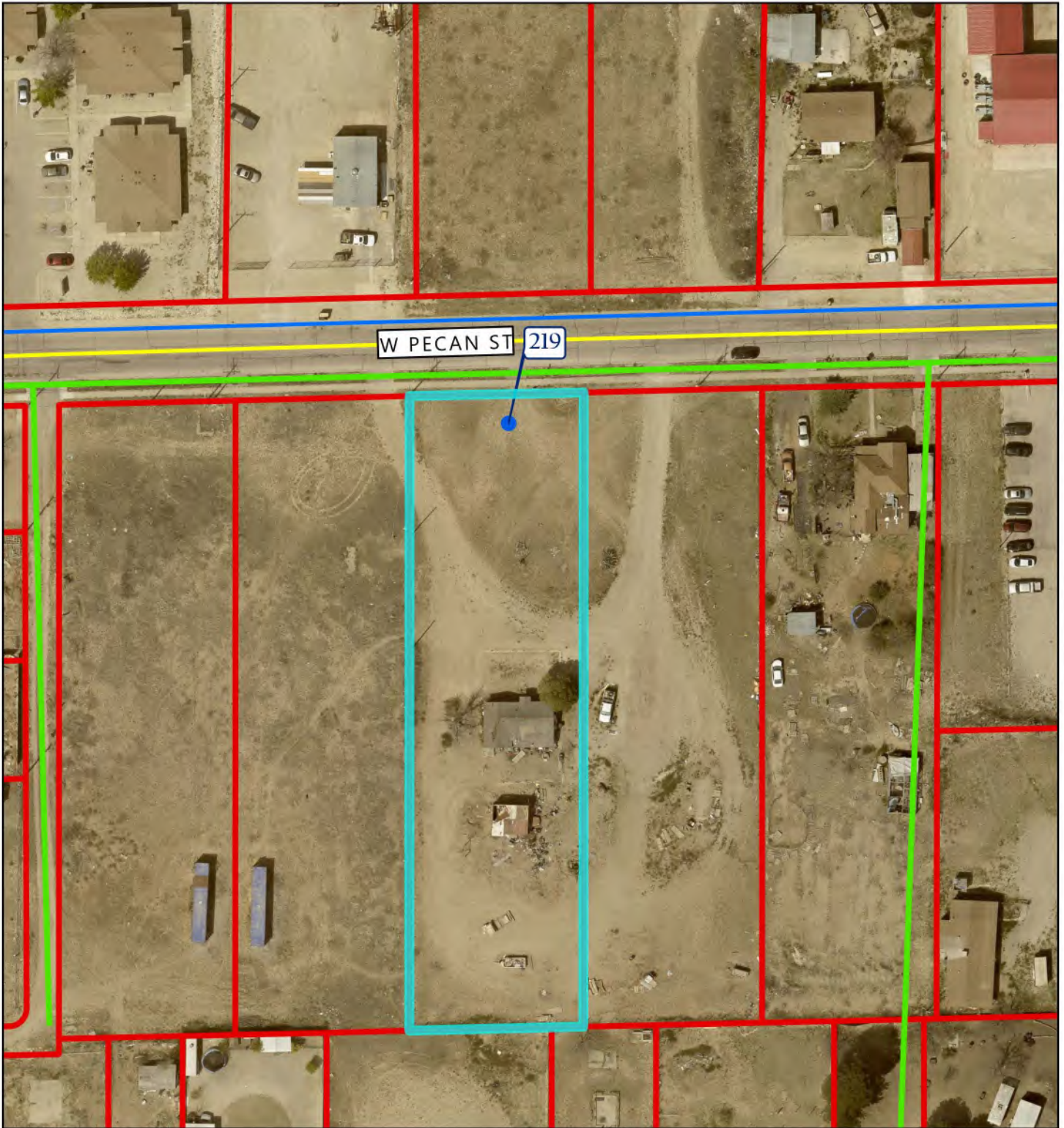
2. **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and eight (8) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

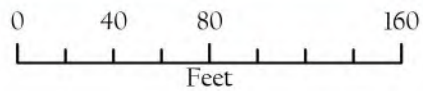
3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

- 1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.
- 2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A “notice of public hearing” is published in the Current Argus at least 30 days prior to the hearing.
- 3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100’) of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100’ of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant’s information, legal description of subject property, and the date of the hearing.
- 4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.
- 5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.



- Carlsbad Address
- Sewer Main
- Water Main
- Roads
- Parcel



IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.



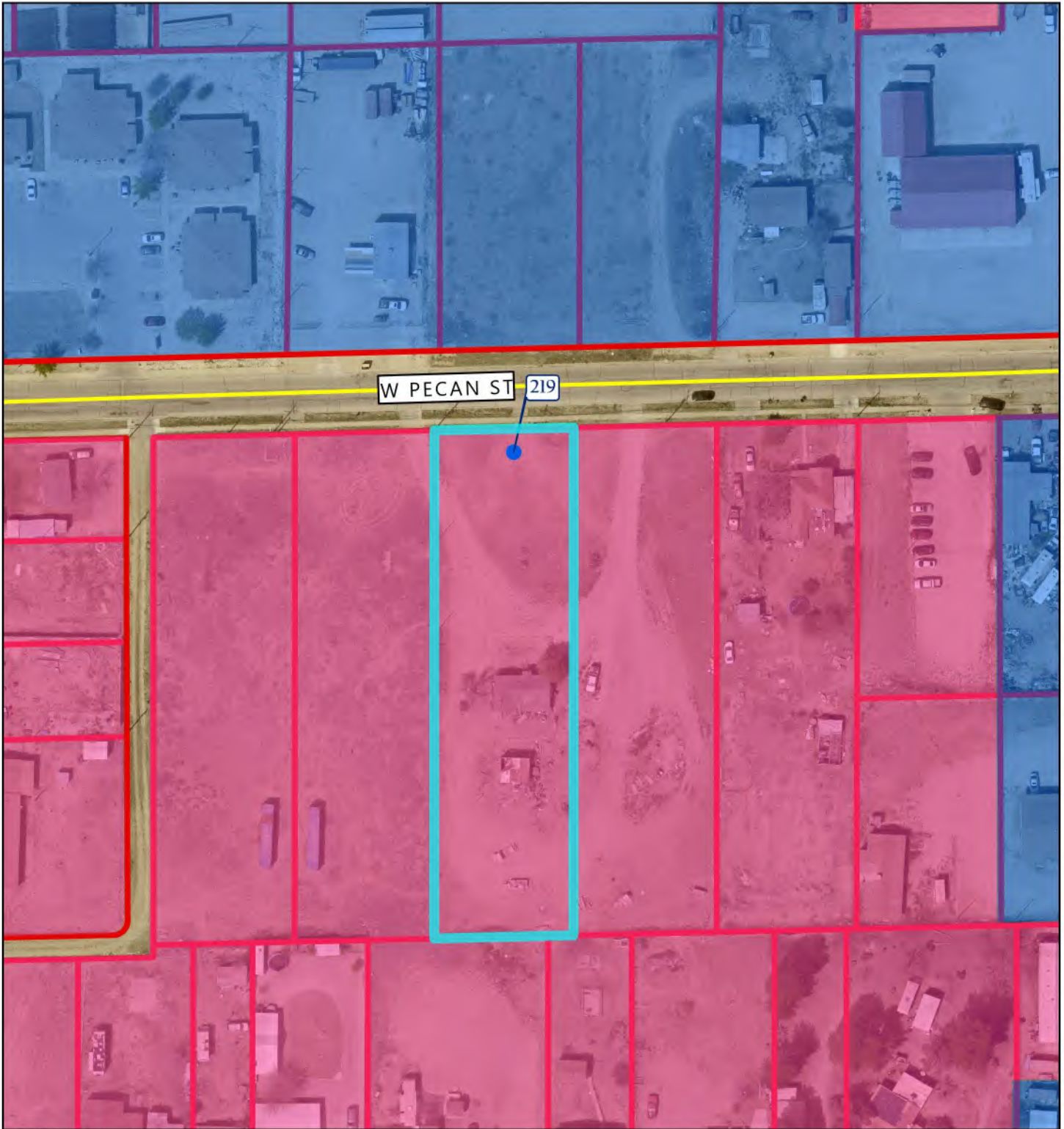
Scale: 1:1,200




Zone Change

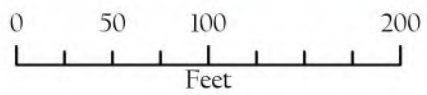
Map #: 2948_ed02

1 inch = 100 ft

Date: 12/22/2023



-  Carlsbad Address
-  Roads
-  Parcel



IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.



CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: February 13, 2024

DEPARTMENT: Legal	BY: Denise Madrid Boyea	DATE: February 7, 2024												
SUBJECT: Consider approval of Ordinance to increase the Municipal Judge’s Salary														
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) In 1996, the City of Carlsbad set the salary of the Municipal Judge at Thirty Six Thousand Dollars per year pursuant to Section 16-28 of the Carlsbad City Code of Ordinances. The salary currently recommended is an increase to Sixty Two Thousand Three Hundred Eight Dollars (\$62,308.00) per year.														
DEPARTMENT RECOMMENDATION: If it is the pleasure of the City Council, it is recommended that an Ordinance be approved increasing the Municipal Judge’s salary to Sixty Two Thousand Three Hundred Eight Dollars per year.														
BOARD/COMMISSION/COMMITTEE ACTION: <table><tr><td><input type="checkbox"/> P & Z</td><td><input type="checkbox"/> Lodgers Tax Board</td><td><input type="checkbox"/> Cemetery Committee</td><td><input type="checkbox"/> APPROVED</td></tr><tr><td><input type="checkbox"/> Museum Board</td><td><input type="checkbox"/> San Jose Board</td><td><input type="checkbox"/> Water Board</td><td><input type="checkbox"/> DISAPPROVED</td></tr><tr><td><input type="checkbox"/> Library Board</td><td><input type="checkbox"/> North Mesa Board</td><td><input type="checkbox"/> _____ Committee</td><td></td></tr></table>			<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Committee	<input type="checkbox"/> APPROVED	<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISAPPROVED	<input type="checkbox"/> Library Board	<input type="checkbox"/> North Mesa Board	<input type="checkbox"/> _____ Committee	
<input type="checkbox"/> P & Z	<input type="checkbox"/> Lodgers Tax Board	<input type="checkbox"/> Cemetery Committee	<input type="checkbox"/> APPROVED											
<input type="checkbox"/> Museum Board	<input type="checkbox"/> San Jose Board	<input type="checkbox"/> Water Board	<input type="checkbox"/> DISAPPROVED											
<input type="checkbox"/> Library Board	<input type="checkbox"/> North Mesa Board	<input type="checkbox"/> _____ Committee												

Reviewed by: Interim City Administrator: /s/Wendy Austin	Date: 02/08/2024
-------------------------------------------------------------	------------------

ATTACHMENT(S):
Ordinance

ORDINANCE NO. 2024-08

AN ORDINANCE AMENDING A PORTION OF SECTION 28 OF CHAPTER 16 OF THE CODE OF ORDINANCES, CITY OF CARLSBAD, NEW MEXICO TO INCREASE THE MUNICIPAL JUDGE'S SALARY

WHEREAS, Chapter 16-28 of the Code of Ordinances, City of Carlsbad, New Mexico, set the Municipal Judge's salary in 1996 at Thirty Six Thousand Dollars (\$36,000.00) per year; and

WHEREAS, the City Council of Carlsbad desires to increase the Municipal Judge's salary effective on the 1st day of January, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO, that:

Section 16-28 of the Carlsbad City Code is hereby amended to state that the salary of the Municipal Judge shall be Sixty Two Thousand Three Hundred Eight Dollars (\$62,308.00) per year effective the 1st day of January, 2024.

INTRODUCED, PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2024.

Richard D. Lopez, MAYOR

ATTEST:

City Clerk

**NO DOCUMENT FOR THIS
AGENDA ITEM**

CITY OF CARLSBAD

AGENDA BRIEFING MEMORANDUM

Council Meeting Date: February 13, 2024

DEPARTMENT: Legal	BY: Denise Madrid Boyea DB	DATE: February 7, 2024
SUBJECT: Update of Condition of Property and Proposed Resolution requiring the removal of the ruined, damaged or dilapidated building or structure at 1916 W. Lea St.		
BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.) On October 24, 2023, this property was brought before the City Council for consideration of a Resolution requiring the removal of the ruined, damaged or dilapidated building or structure at 1916 W. Lea St., plus removal of the weeds, debris, trash and an abandoned RV. It was the will of the City Council, at that meeting, to allow the owners four months to remove the weeds, debris, trash and RV and repair the ruined, damaged or dilapidated building. The weeds, debris, trash and RV was removed but, the building or structure has not had any improvements. The building inspector met with an individual regarding repair of the structure the day after the initial City Council meeting, but never contacted him again, nor has any permit been requested to repair the structure. No work on the structure is visible. A resolution has been prepared which, if adopted, would require the property owner to remove all ruined, damaged or dilapidated structures from the property within thirty days of the service of the resolution. On February 7, 2024, a certified letter was sent to Erica Corralez c/o Jesus R. Juarez at the address on the records of Eddy County, which invited him to attend the meeting and speak with Council about the property.		
BOARD/COMMISSION/COMMITTEE ACTION: N/A		
<input type="checkbox"/> P & Z <input type="checkbox"/> Museum Board <input type="checkbox"/> Library Board	<input type="checkbox"/> Lodgers Tax Board <input type="checkbox"/> San Jose Board <input type="checkbox"/> North Mesa Board	<input type="checkbox"/> Cemetery Board <input type="checkbox"/> Water Board <input type="checkbox"/> _____ Committee
		<input type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED

Reviewed by: Interim
City Administrator /s/Wendy Austin **Date:** 02/08/2024

ATTACHMENT(S):
 Proposed Resolution with Attachments
 Photographs
 Letter to Erica Corralez c/o Jesus R. Juarez dated February 7, 2024

RESOLUTION NO. 2023- 65

A RESOLUTION FINDING THE BUILDINGS OR STRUCTURES AT THE PROPERTY COMMONLY KNOWN AS 1916 W. LEA STREET TO BE RUINED, DAMAGED, AND DILAPIDATED AND FINDING THE PREMISES TO BE COVERED WITH RUINS, RUBBISH, WRECKAGE, WEEDS, DEBRIS; AND REQUIRING THE REMOVAL OF THE BUILDINGS, STRUCTURES, RUINS, RUBBISH, WRECKAGE, WEEDS, AND DEBRIS

WHEREAS, the records of the Eddy County Assessor's Office show **Erica Corrales c/o Jesus R. Juarez** to be the owner of or to have an interest in the property commonly known as **1916 W. Lea Street, Carlsbad, Eddy County, New Mexico**, and more particularly described as:

Subd: ALTA VISTA #2 (CARLSBAD-IN) Lot: 1 Block: 1

hereinafter referred to as "Property", and

WHEREAS, the Property has been inspected by the Carlsbad Code Enforcement Officer, the Fire Chief and the Certified Building Official; and

WHEREAS, the Carlsbad Code Enforcement Officer, the Fire Chief and the Certified Building Official found that the Property has not been adequately maintained; and

WHEREAS, the Property contains a large amount of ruins, rubbish, wreckage, and/or debris, and some weeds; and

WHEREAS, the Property is in an unsafe condition and constitutes a hazard to the surrounding properties, residents and passersby; and

WHEREAS, the Carlsbad Code Enforcement Officer found that the specific violations, under Code of Ordinances of the City of Carlsbad, at the Property include, but are not limited to those listed on the attached Exhibit "A"; and

WHEREAS, the City Fire Chief has inspected the Property and found that the specific violations at the Property under Fire Code include, but are not limited to those listed on the attached Exhibit "B"; and

WHEREAS, the specific Building Code violations include, but are not limited to those listed on the attached Exhibit "C;" and

WHEREAS, the Property and all structures, ruins, rubbish, wreckage, debris, and weeds are a menace to the public comfort, health, peace, and safety and require removal forthwith.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Carlsbad, Eddy County, New Mexico that:

1. A copy of this Resolution shall be served on the record owners, as shown by the real estate records of the County Clerk, occupants, or agents in charge of the Property. Such service shall be in person if such a person can be found within the City of Carlsbad, New Mexico after a reasonable search.

2. If a record owners, occupant, or agent in charge of the Property cannot be located within the City of Carlsbad, New Mexico, notice shall be by posting at the Property and by publishing this Resolution one time in a newspaper in general circulation in the City of Carlsbad.

3. Within ten days of either the receipt of a copy of this Resolution or the posting and publishing of this Resolution, the owner, occupant, or agent in charge of the Property shall either:

- A. Commence removing all ruins, rubbish, wreckage, debris, and weeds from the premises; or
- B. File a written objection with the Carlsbad Municipal Clerk at 101 N. Halagueno, Carlsbad, New Mexico 88220 and request a hearing before the City Council.

4. If a written objection is filed as required, the City Council shall proceed as directed by Chapter 22, Article II of the Code of Ordinances, City of Carlsbad, New Mexico.

5. The removal of the structure, ruins, rubbish, wreckage, debris, and weeds shall:

- A. Begin immediately;**
- B. Proceed properly and with diligence; and**
- C. Be completed in a timely manner;**
- D. BUT IN NO CASE SHALL SUCH WORK TAKE LONGER THAN THIRTY (30) DAYS FROM THE DATE THE RESOLUTION WAS SERVED UNLESS THE CARLSBAD CITY COUNCIL CONSENTS IN WRITING TO AN EXTENSION.**

6. Any removal of the structures, ruins, rubbish, wreckage, debris, or weeds shall leave the property from which the materials have been removed in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled.



CITY OF CARLSBAD

Planning, Engineering,
and Regulation Department

114 S. Halagueno, PO Box 1569

Carlsbad, New Mexico 86220

Phone (575) 885-1185, Fax (575) 628-8379

CODE ENFORCEMENT REPORT

Case Number: CE- <u>2023</u> - <u>0007</u>	Date of Complaint: 6-30-2023	Complaint Taken By:
	Complainant Name:	Phone Number:

Complaint Location:
1916 W. Lea St.

Details of Complaint:
Property in disrepair
Dilapidated RV/Motorhome
Storage of Ruin, Rubbish

Primary Structure: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Occupied <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Secured <input checked="" type="checkbox"/> Unsecured <input type="checkbox"/> No structure on property	Photographs Taken (attach): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CE District: <input type="checkbox"/> North <input checked="" type="checkbox"/> South
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------

Narrative:
This property has been a nuisance property. Ownership has transferred several times over the years, but the Planning Department has made contact with the new owner. There has been several phone calls explaining the need for the removal of the dilapidated RV. On October 4, 2023 the Planning Director, Deputy Planning Director and Building Inspector met with the owner to view the structure and revisit the issue of the RV. The Building Inspector found the structure to be in poor condition and has recommended the removal of the structure.

Disposition of Case:

No Basis for Complaint: _____

Mailed Notice of Violation/Date: 7/6/2023

Door Hanger Notice of Violation/Date: _____

Verbal Warning/Date: 10/4/2023

Referred to Other Agency: _____

Other: Phone calls with J. Patterson, Planning Director

	Trysha Ortiz	10/12/2023
Code Enforcement Signature	Printed Name	Date

Report Information:
Entered into Database on: _____ By: _____ Page ___ of ___

15 CITY OF CARLSBAD

Planning, Engineering, and Regulation Department
Code Enforcement Division
101 N. Halagueno St., PO Box 1569
Carlsbad, New Mexico 88220
Phone (575) 885-1185, Fax (575) 628-8379



NOTICE OF CODE VIOLATION

Date: July 6, 2023
Case: CE- 2023 - Pending
Address: 1916 West Lea
Carlsbad, New Mexico 88220

Name and Address of Property Owner or Occupant*
4-156-127-100-511
CORRALEZ, ERICA & JUAREZ, JESUS R
914 FRANKLIN ST #B
CARLSBAD, NM 88220

FINAL NOTICE

The following violation(s) of the Carlsbad Code of Ordinances have been identified as existing on your property. It is your responsibility, if you have any control over the property, to take immediate action to correct these violation(s), even if you do not actually occupy the property or if the property is occupied by others.

COMPLETION OF CORRECTIVE ACTION(S) IS REQUIRED NO LATER THAN: July 13, 2023

CORRECTIVE ACTION TO BE TAKEN (WHAT YOU SHOULD DO) BEFORE DEADLINE:

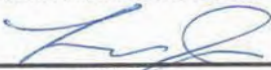
Please clean and remove non-running vehicles, weeds, trash, and debris from the property. Also, the house on the property appears to be damaged, decayed, and dilapidated, please contact us about these issues. Thank you for your compliance, should you have any questions please call our office at 575-885-1185.

- CODE VIOLATED:
VEHICLE STORAGE (CCO 50-06(d)):
ABANDONED MOTOR VEHICLE (CCO 50-6):
- CODE VIOLATED:
SECTION 108
UNSAFE STRUCTURES AND EQUIPMENT
- CODE VIOLATED:
Accessory Sec. 56-70. - Uses and structures

Note: Specific details regarding the applicable ordinance may be obtained from the Code Enforcement Division Office listed above. The complete Code of Ordinances may be found on the City of Carlsbad website: www.cityofcarlsbadnm.com or in the office of the City Clerk.

The required Corrective Active listed above must be initiated immediately and be completed no later than the deadline. Failure to comply with the Ordinances of the City of Carlsbad is subject to specific actions. If the owner of the property cannot be located or refuses compliance, the City may initiate condemnation procedures under Chapter 22, Article II, of the Carlsbad Code of Ordinances to remedy the violation. Under this procedure the City will file a claim of lien against the premises in the amount of the expenditure by the City to correct each violation. Optionally, the City may seek a judgment in Municipal Court for the maximum penalty allowed by ordinance for violation of municipal ordinances. Unless a lesser maximum penalty or a specific penalty is established by ordinance for a particular offense, a fine of not more than \$500 or imprisonment for not more than 90 days, or both, plus court costs, may be imposed by the court.

*Property and owner information is received from the Eddy County Assessor's Office, Occupant, or City records.

	Lonnie Jaquez	7/6/2023
Code Enforcement Signature	Printed Name	Date



RNB 373

GMC

Oct 4, 2023 at 10:07:59 AM



Oct 4, 2023 at 10:06:20 AM



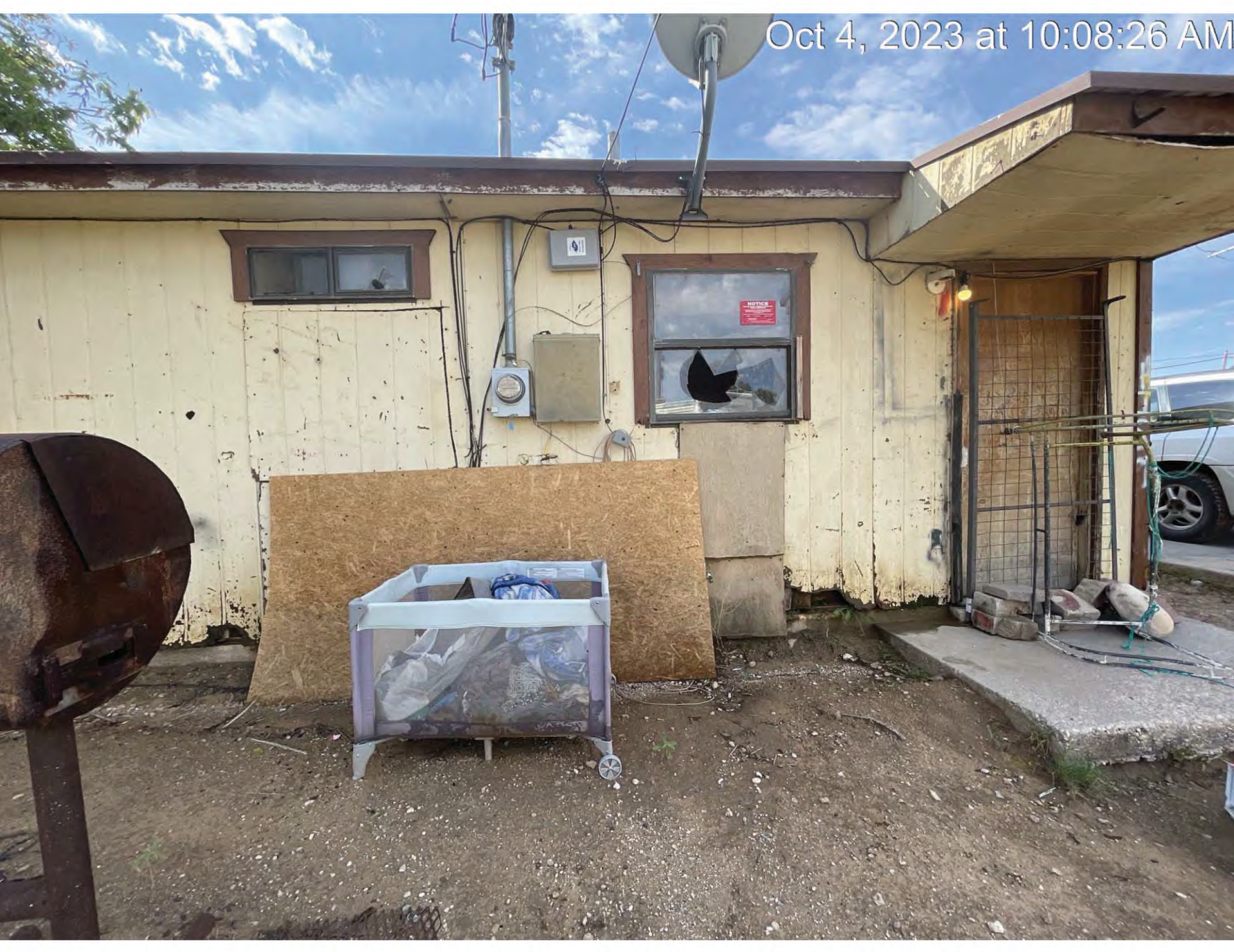
Oct 4, 2023 at 10:08:19 AM



NO
TRESPASSING
OR PARKING

I m

Oct 4, 2023 at 10:08:26 AM



Oct 4, 2023 at 10:08:28 AM



Oct 4, 2023 at 10:08:40 AM



Oct 4, 2023 at 10:09:02 AM



City Of Carlsbad

Inter-Office Memorandum

Dale Janway Mayor

John Lowe, City Manager

Date: August 10, 2023

To: Denise Madrid Boyea, City Attorney

From: Ken Ahrens, Fire Chief

Re: 1916 W. Lea St.

On August 10, 2023, I inspected a property located at 1916 W. Lea St. This property presents an **extreme** fire hazard for responding Firefighters and emergency personnel. I recommend that the property be cleaned up and the trash, debris, and inoperable Recreational Vehicle and automobile be removed under the following fire codes.

The International Fire Code, 2015 edition states:

Section 110 Unsafe Buildings

110.1 General. If during the inspection of a building or structure or any building system, in whole or part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

110.4 Abatement. The owner, the owner's authorized agent, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition, or other approved corrective action.

Section 304 Combustible Waste Material

304.1 Waste accumulation prohibited. Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.

304.1.1 Waste material. Accumulations of wastepaper, wood, hay, straw, weeds, litter, or combustible or flammable rubbish of any type shall not be permitted to remain on a roof or in any court, yard, vacant lot, alley, parking lot, open space, or beneath a grandstand, bleacher, pier, wharf, manufactured home, recreational vehicle, or other similar structure.

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

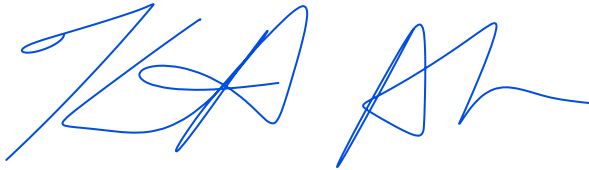
304.2 Storage. Storage of combustible rubbish shall not produce conditions that will create a nuisance or hazard to the public health, safety, or welfare.

Section 313 Fueled Equipment

313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.

Section 315 Miscellaneous Combustible Materials Storage

315.3 Outside Storage. Outside storage of combustible materials shall not be located within 10 feet of a property line.

A handwritten signature in blue ink, consisting of two distinct parts. The first part is a stylized, cursive 'KA' followed by a horizontal line. The second part is a more fluid, cursive signature that appears to be 'Ken Ahrens'.

Ken Ahrens, Fire Chief
Carlsbad Fire Department

CITY OF CARLSBAD

INTER-OFFICE MEMORANDUM

Dale Janway, Mayor

John Lowe, City Administrator

October 4, 2023

TO: Denise Madrid Boyea, City Attorney

FROM: Nick Sullivan, City Building inspector

RE: **1916 W Lea St, Carlsbad NM**

On October 4, 2023, I performed an inspection on the property located at 1916 W Lea St. The house has been abandoned for quite some time and has begun to deteriorate beyond repair. In its current state it is a danger to the community or anyone who decides to enter the property. The windows have mostly been broken out, and the exterior siding is damaged or deteriorated beyond repair. There are areas with extensive water and mold issues throughout the house. There has been reported squatters on the premises, we however did not witness anyone at the house during the inspection. The above-mentioned property should be condemned under the following sections of the International Property Maintenance Codes.

The International Property and Maintenance Code- 2009 edition states:

Section 108- Unsafe Structures and Equipment

108.1.1- Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.3- Structure Unfit for Human Occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.5- Dangerous Structure or Premises- For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:

Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the

foundation or underpinning of the building or structure is likely to fail or give way.
The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

Section 304- Exterior Structure

304.1- General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.7- Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Section 305- Interior Structure

305.1- General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

Section 505 Water System

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code (and/or Uniform Plumbing Code).

Section 602- Heating Facilities

602.2 Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Section 604- Electrical Facilities

604.2- Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Dwelling units shall be served by a three wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Nick Sullivan, City Building Inspector



City of Carlsbad
October 4, 2023





NOTICE
THIS WINDOW IS BEING REPAIRED.
PLEASE DO NOT ATTEMPT TO REPAIR OR
REPLACE THIS WINDOW.
CONTACT THE PROPERTY MANAGER FOR
MORE INFORMATION.

11 1/2
SUNNY C
MADE IN THE U.S.A.
100% WOOD
NO ADHESIVES
NO NAILS
NO GLUE
NO STAIN
NO PAINT
NO FINISH

NOTICE


THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.

UNDER SECTION R102.7 OF THE INTERNATIONAL RESIDENTIAL CODE AND UNDER SECTION 108 OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS ADOPTED BY ORDINANCE 8-1 OF THE CITY OF CARLSBAD, NM

IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING

NO WATER NO POWER BUILDING NOT SAFE

BUILDING DEPARTMENT
CITY OF CARLSBAD


Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.

DATE: 10-4-23 REFER TO SECTION 107.4 INTERNATIONAL PROPERTY MAINTENANCE CODE (CHAPTER 1-8 CCO)

NICHOLS PRINTING, INC.

NOTICE
THIS BUILDING IS DEEMED UNSAFE FOR HUMAN OCCUPANCY.
UNDER SECTION 915.7 OF THE INTERNATIONAL RESIDENTIAL CODE
AND UNDER SECTION 106 OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE, AS ADOPTED BY ORDINANCE 8-1 OF THE
CITY OF CARLSBAD, NM
IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING
 NO WATER NO POWER BUILDING NOT SAFE
BUILDING DEPARTMENT
CITY OF CARLSBAD
ANY UNAUTHORIZED PERSON REMOVING THIS SIGN WILL BE PROSECUTED.
DATE: 10-4-20





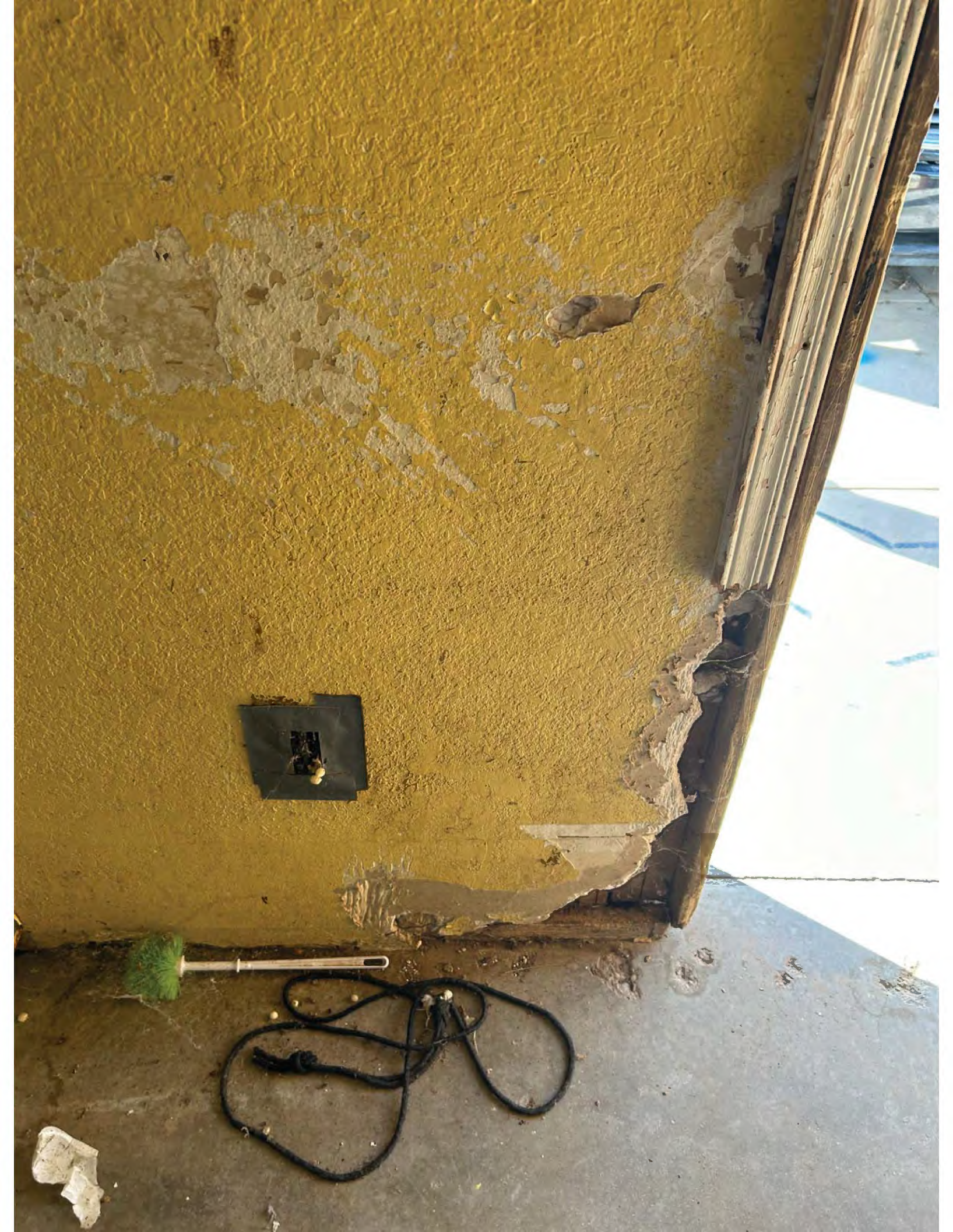


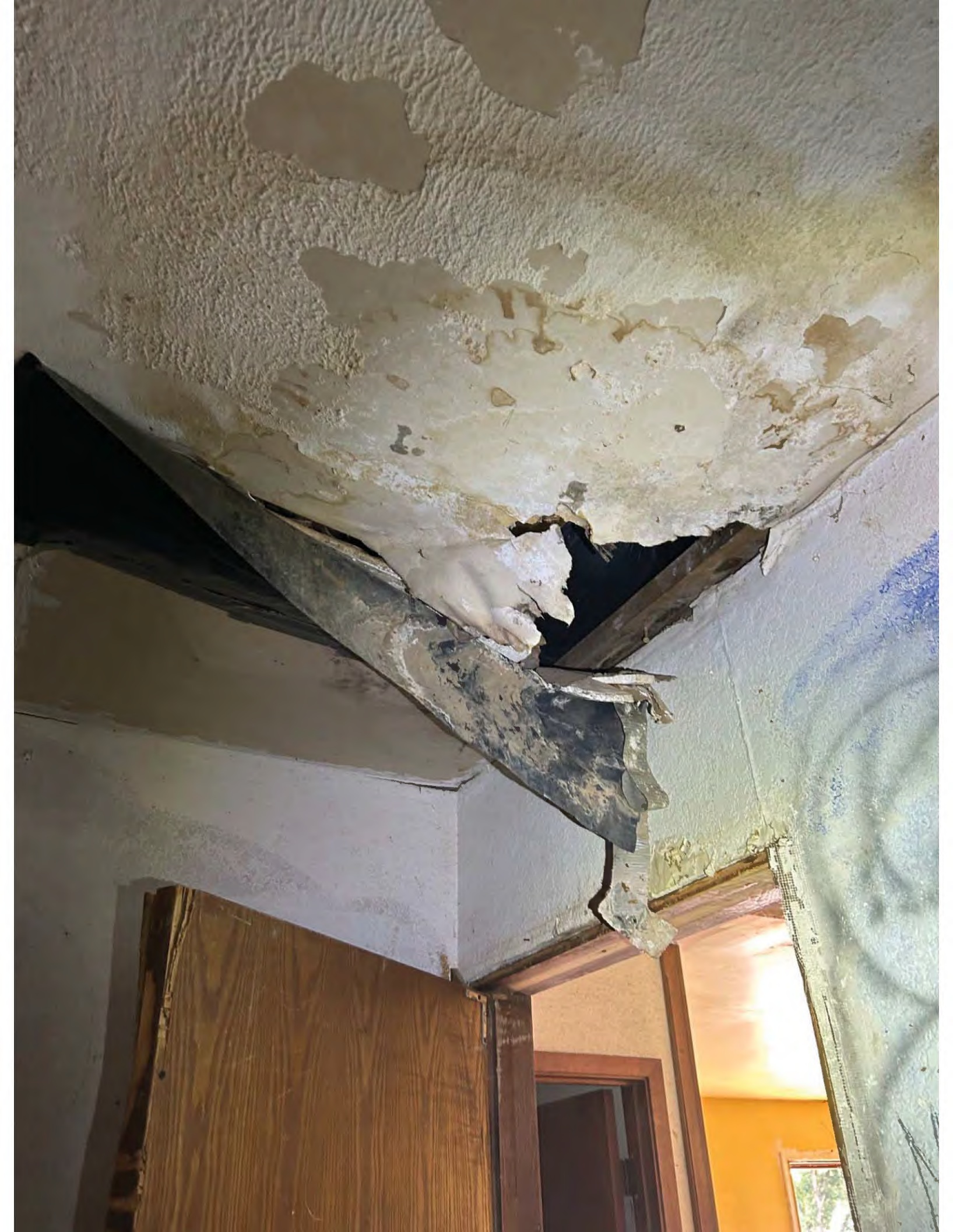












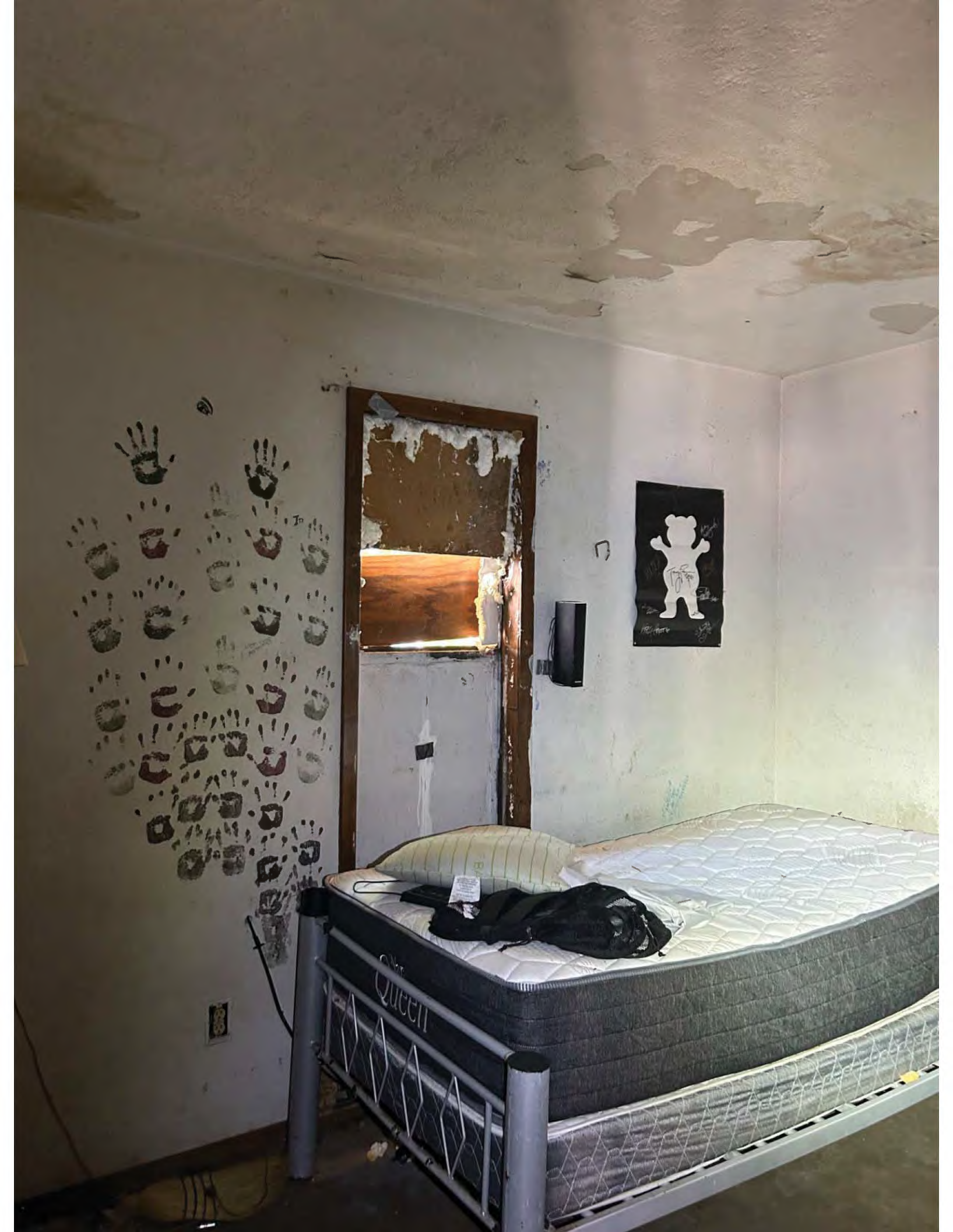
Faint, illegible red graffiti on the left wall.

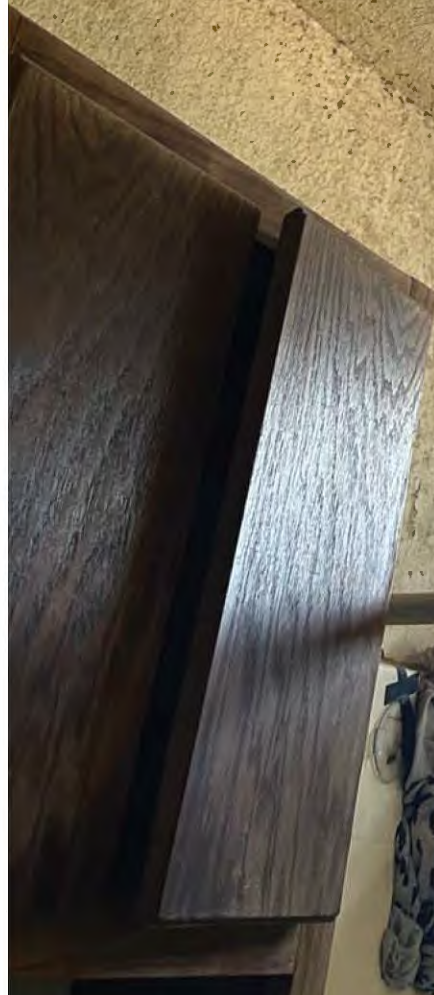


Faint red graffiti on the right wall, possibly including the words "I love you" and "I'm always" followed by illegible text.

Handwritten red text: "Erica" and "Journey Love" with a heart symbol below.

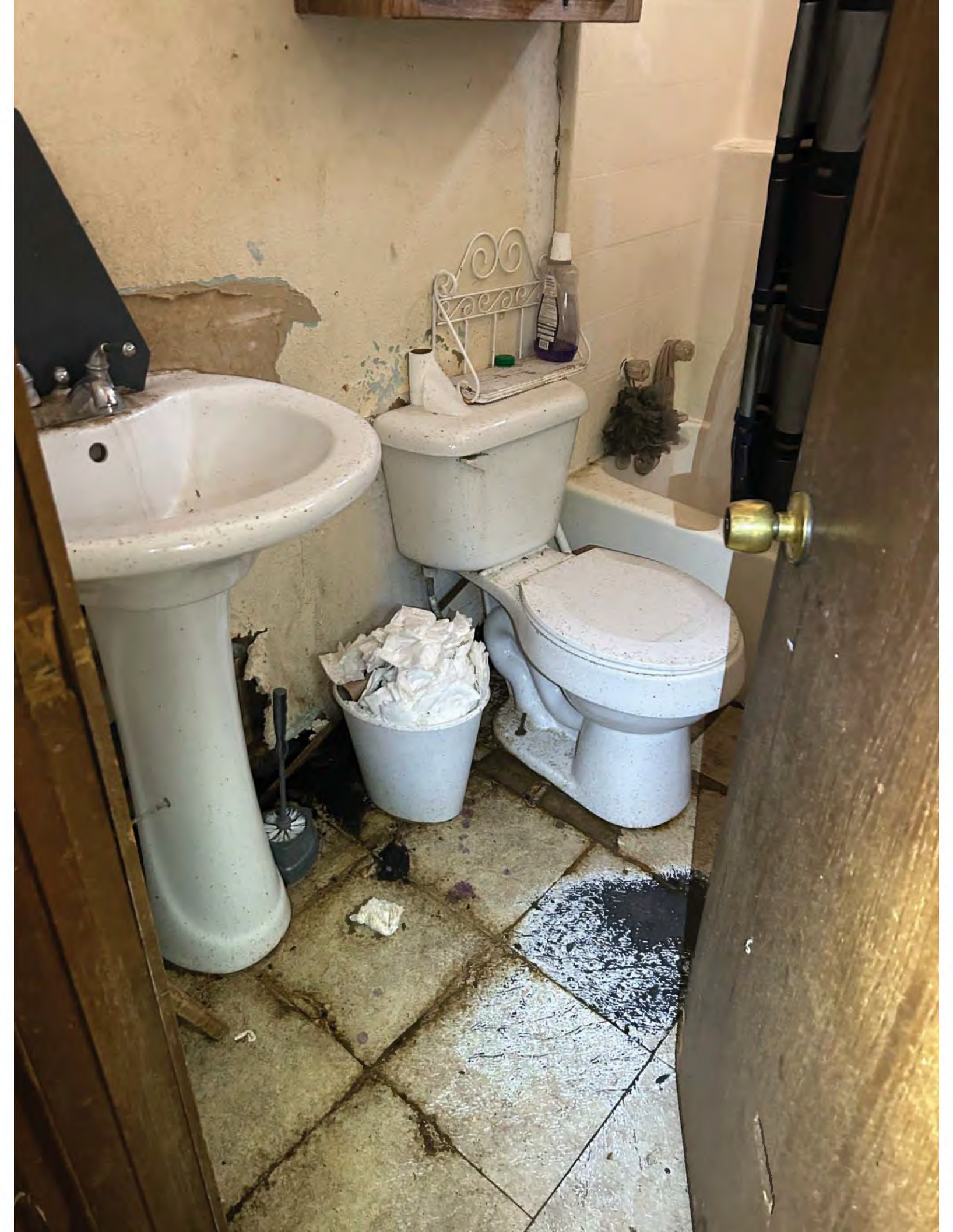


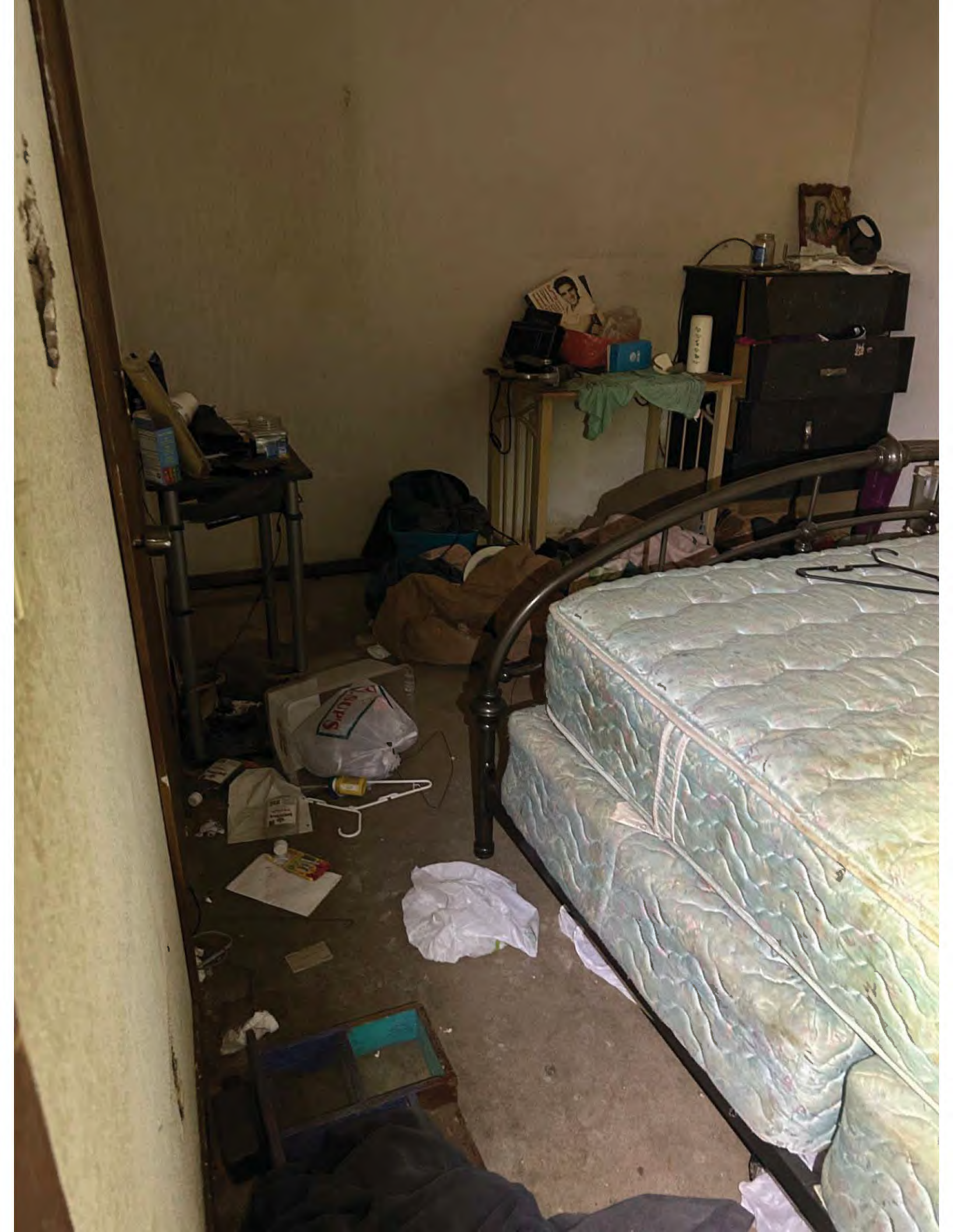






DIRE HANDE















RICK LOPEZ
MAYOR

Post Office Box 1569
Carlsbad, NM 88221-1569
(575) 887-1191
1-800-658-2713
www.cityofcarlsbadnm.com

February 7, 2024

Erica Corrales c/o Jesus R. Juarez
914 Franklin St. #B
Carlsbad, NM 88220

RE: Dangerous Premises at the property known as 1916 W. Lea St., Carlsbad, NM

Dear Mr. Juarez :

According to the records of the Eddy County Assessor's Office, you are the owners or have an interest in the property commonly known as **1916 W. Lea St., Carlsbad, NM**. The property was recently inspected by the Director of Planning. The structure on the property has not been improved.

Because of the condition of the structure on the property, a Resolution has been prepared requiring the removal of the structure. The Carlsbad City Council will consider passing that Resolution at its meeting on **Tuesday, February 13, 2024 at 6:00 PM**. That meeting will be held in the Council Chambers in the Janell Whitlock Municipal Complex at 114 S. Halagueno St., Carlsbad, NM. You are encouraged to come to the meeting and speak with Council about the property. A draft of the Resolution is included with this letter.

If the Council adopts the Resolution, you must begin removing the structure from the property within ten days and complete the work within thirty days. The property must be left in a clean, level, and safe condition, suitable for further occupancy or construction and with all excavations filled. If the work is not done, the City may do the work itself or hire someone to do the work. All reasonable costs to the City for such work will become a lien against the property. The City may then foreclose the lien as allowed by law.

If you have any questions regarding this matter, please contact me at (575) 887-1191, or at the Municipal Building, 101 N. Halagueno, Carlsbad, NM 88220.

Sincerely,

Denise Madrid Boyea
City Attorney

Enclosure

COUNCILORS

Ward 1
LISA A. ANAYA FLORES
EDDIE T. RODRIGUEZ

Ward 2
J J CHAVEZ
JEFF FORREST

Ward 3
MARY GARWOOD
KARLA NIEMEIER

Ward 4
ANTHONY FOREMAN
MARK WALTERSCHEID

Committee Reports

Adjourn



February 2nd, 2024

Mrs. Wendy Austin
City Administrator
City of Carlsbad

Dear Mrs. Austin:

The following report is submitted to the City of Carlsbad to update the progress and status of the Carlsbad MainStreet Project for January 2024, per the Downtown Revitalization Services Contract. With this report, MainStreet is enclosing an invoice requesting the monthly allocation from the City of Carlsbad for \$7,500.00 based on the total annual services contract of \$90,000.

NEW MEXICO MAIN STREET (NMMS) REQUIRED MEETINGS (MAINSTREET EXECUTIVE DIRECTOR):

- New Mexico MainStreet Roundtable- 1/18- Economic Development Department
- New Mexico MainStreet Roundtable- 1/24- Impact Reports (Kat presented)
- New Mexico MainStreet Winter Conference- 1/31- 2/2 Santa Fe

EXECUTIVE DIRECTOR BOARDS AND COMMITTEES:

- In addition to MainStreet activities, the Carlsbad MainStreet Executive Director serves on the following boards and committees related to downtown promotion and economic development and attends weekly and monthly meetings to support their priorities and activities:

Carlsbad Area Art Association, Carlsbad Community Concerts Association, Cavern Theater Task Force, Carlsbad Downtown Lions Club, Pearl of the Pecos Committee, Chamber of Commerce Tourism Council, Chamber of Commerce Non-Profit Council, Chamber of Commerce Age Friendly Council, Eddy County DWI Mayors Fine Arts and Acquisition Committee (FAAV), Mayors Beautification Committee, Anti-Drug and Gang Coalition, Rotary, Chamber of Commerce, City Council, Eddy County Commission, Walter Gerrell's Civic Center Advisory Board, and Carlsbad Department of Development

ECONOMIC DEVELOPMENT-MAINSTREET STYLE

MainStreet Business/Merchants Economic Vitality

- We held our annual CavernFest Façade grant program in November and December. This was set up 2 years ago to use some of the proceeds that Carlsbad MainStreet receives from CavernFest to offer façade grants to district businesses. In January we presented checks to two of the businesses who have completed their projects- The Party Place (2022 recipient) and to Eddy County Casa (2023 recipient).
- New Mexico MainStreet Revitalization Specialist, Will Powell, did a site visit on January 18th, he brought drawing to present to the owner of 113 S. Canyon Street. The owner would like some façade improvement ideas and set the budget of \$10,000-\$15,000, Will brought 6 different renderings for the business to consider.



- Shea visited our new MainStreet vendors, Tylar who is the owner of Sinful Skin Esthetics.

Downtown MainStreet Rejuvenation Project

- Received notice from Keystone Ridge Design that our last round of trashcans and benches are completed and ready to ship. We have sent the final payment and anticipate shipping to process in the coming weeks.
- Worked with our decoration's vendor, The Light Shed, to complete the removal of all the 2023 Holiday decorations, as part of our improvements this year we installed new outdoor hanging lights that will be easier for us to change and manage throughout the year.

MainStreet

- January 12th- CavernFest Advertising Meeting
- January 17^h- CavernFest Planning Meeting
- January 25th- Board of Directors Meeting

Pearl of the Pecos

- January 16th- POP Projects Meeting
- January 22nd- POP Steering Committee Meeting
- Full report of POP work can be found in January ACD report

City of Carlsbad

- January 9th- Meeting with Mayor Rick Lopez
- January 10th- Meeting with Jeff Patteson (LEDA Ordinance)
- January 11th- Cavern Theatre Task Force Meeting
- January 23rd- City Council (CEDP)

Eddy County

- January 30th- Eddy County Legislative Reception (Santa Fe)

Chamber of Commerce

- January 3rd- Age Friendly Council Meeting
- Leadership Carlsbad Session #4 -January 12th (Industry Day)

Department of Development

- January 29th- Legislative update meeting



HAPPENING AT THE MAINSTREET OFFICE

Staff at the MainStreet office

- Shea attended the New Mexico MainStreet Grant writing and fundraising training in Albuquerque this month, this was the first out of three in person sessions as part of the course.
- We have worked on updating our farmers market manager position to have it now be a vendor coordinator position, we have posted the job description and will be scheduling interviews for the beginning of February.
- Attended the National MainStreet Webinar on the new reporting process for accreditation standards. Carlsbad Mainstreet has already gone through their accreditation process for this year, but with the new standards we will have to re-submit on the new national dashboard, MainStreet America is doing this with the intent of having a more cohesive and standardized process through out all of the states.

Reporting

- All monthly and quarterly reports have been submitted to the City and County
- Q 4 report submitted to New Mexico MainStreet

Speaking Opportunity

- N/A

OTHER MAINSTREET ED MEETINGS AND ACTIVITIES:

- Kat attended City Council on the 23rd to present to the City on our Cultural Economic Development Plan. Prior to the Council Meeting, I worked on a resolution which was required from the grant agreement from the state to be adopted with the plan. Following the presentation, the councilors all voted to adopt the plan, now that it has been adopted locally, Kat will work with New Mexico MainStreet and New Mexico Arts to get Carlsbad on the New Mexico Arts Commission meeting agenda for approval as a state authorized ACD.
- Through the Cultural Planning Process, we have come across a recommendation in our grant agreement for updating our local LEDA Ordinance following the adoption of the plan. Kat met with Jeff with City Planning to see if this is something we could work on. Jeff agreed the plan was outdated and we could explore options to work to update it. Then we set up a meeting with Jim Lucero and Kevin Wilson, our regional Economic Development Department Representatives to discuss, they were able to provide us templates from other communities for us to review.

PROMOTION FOR MAINSTREET and CARLSBAD

New Mexico Magazine

- Signed contract for 2024 advertising agreement. Submitted March edition ad

Focus Magazine

- Signed contract for 2024



Carlsbad MainStreet Project
102 S Canyon St
Carlsbad, NM 88220
Carlsbadmainstreet@gmail.com
Office : 575-628-3768 Cell: 575-988-0145

Texas Monthly

- Submitted ad and article for spring travel issue

Carlsbad Local

- N/A

Current-Argus

- Provided quote to Mike Smith on his story for the grant the city applied for the restoration of the mural on the exterior of the Carlsbad Museum

Artesia Radio

- N/A

Carlsbad Radio

- N/A

KCC Radio

- N/A

If you have any questions, please feel free to contact me.

Respectfully,

Kat Davis

Kat Davis
Executive Director